

for towage or salvage services to such vessels, when the Secretary of the Navy certifies that the prosecution of such proceedings would endanger the security of naval operations or interfere therewith, and to authorize the settlement and payment of such claims, and for other purposes; with amendment (Rept. No. 1681). Referred to the Committee of the Whole House on the state of the Union.

Mrs. SMITH of Maine: Committee on Naval Affairs. S. 1894. An act to provide for the transportation to their homes of persons discharged from the naval service because of under age at time of enlistment; with amendment (Rept. No. 1682). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 4968. A bill to amend section 511 (c) of the Merchant Marine Act of 1936, as amended, relative to deposit of vessel proceeds received from the United States in certain cases, and for other purposes; with amendment (Rept. No. 1683). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 593. Resolution providing for the consideration of H. R. 4901, a bill to authorize and direct the sale of Moore Air Field; without amendment (Rept. No. 1679). Referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ABERNETHY: Committee on Claims, H. R. 2150. A bill for the relief of Diemer Adison Coulter and Frances Andrews Coulter; with amendment (Rept. No. 1684). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CANFIELD:

H. R. 5055. A bill to create the office of Senator at Large in the Senate of the United States for ex-Presidents of the United States; to the Committee on the Judiciary.

By Miss STANLEY:

H. R. 5056. A bill to amend the National Labor Relations Act, so as to make it an unfair labor practice to discriminate against any employee, in the rate of compensation paid, on account of sex; to the Committee on Labor.

By Mr. KEFAUVER:

H. R. 5057. A bill to authorize the continued operation of certain airport traffic-control towers by the Civil Aeronautics Administration; to the Committee on Interstate and Foreign Commerce.

By Mr. ENGLE of California:

H. R. 5058. A bill to provide for the issuance of grazing permits for livestock in the national parks and national monuments; to the Committee on the Public Lands.

By Mr. VINSON of Georgia:

H. Res. 599. Resolution providing for the consideration of H. R. 4991, a bill to remove restrictions on transfers of small craft to other American republics in furtherance of the war effort; to the Committee on Rules.

By Mr. COFFEE:

H. Res. 600. Resolution urging on behalf of the United States House of Representatives a diplomatic break with Franco (Fascist) Spain, and extension of lend-lease to the guerrilla armies of the Spanish Republic

underground; to the Committee on Foreign Affairs.

By Mr. VINSON of Georgia:

H. Res. 601. Resolution providing for the consideration of H. R. 4405, a bill to amend the act approved March 7, 1942 (Public Law 490, 77th Cong.), as amended, so as to more specifically provide for pay, allotments, and administration pertaining to war casualties, and for other purposes; to the Committee on Rules.

H. Res. 602. Resolution providing for the consideration of S. 1173, a bill to provide for staying judicial proceedings against the United States in time of war, on claims for damages caused by vessels of the Navy, or for towage or salvage services to such vessels, when the Secretary of the Navy certifies that the prosecution of such proceedings would endanger the security of naval operations or interfere therewith, and to authorize the settlement and payment of such claims, and for other purposes; to the Committee on Rules.

By Mr. JARMAN:

H. Res. 603. Resolution authorizing the printing of a revised edition of the Rules and Manual of the House of Representatives for the Seventy-ninth Congress; to the Committee on Printing.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOUGHTON:

H. R. 5059. A bill for the relief of Mrs. Zelma Inez Cheek; to the Committee on Claims.

By Mr. GEARHART:

H. R. 5060. A bill for the relief of Clyde H. Palmer; to the Committee on Claims.

By Mr. MORRISON of Louisiana:

H. R. 5061. A bill for the relief of James Leon Keaton; to the Committee on Claims.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5871. By Mr. ANDREWS of New York: Resolution, adopted by the Bailey-Delavan Businessmen and Taxpayers Association, Inc., protesting against the enactment of legislation for the development of the St. Lawrence seaway and power project; to the Committee on Rivers and Harbors.

5872. By Mr. FITZPATRICK: Petition of Teamsters, Chauffeurs, and Helpers Union, Local No. 816, New York City, urging the passage of the Fay bill (H. R. 4319) and Weiss bill (H. R. 4501) which measures provide time and a half overtime for postal employees; to the Committee on the Post Office and Post Roads.

5873. By Mr. GRAHAM: Petition of the Pomona Grange, No. 65, of Lawrence County, Pa., favoring the removal of sugar from the rationing list; to the Committee on Agriculture.

5874. Also, petition of the Economy Grange, No. 2013, of Beaver County, Pa., urging the enactment of Senate bill 1882 and House bill 4715, to advance postal salaries to conform to the increased cost of living; to the Committee on the Post Office and Post Roads.

5875. By Mrs. NORTON: New Jersey State Senate resolution, proposing an amendment to the Constitution of the United States relative to taxes on incomes, inheritances, and gifts; to the Committee on Ways and Means.

5876. By Mr. ROLPH: California Senate Resolution No. 4, urging that the Colorado River treaty be not ratified by the Senate Committee on Foreign Relations; to the Committee on Foreign Affairs.

5877. Also, California Senate Resolution No. 5, in reference to access road to Golden Gate Bridge; to the Committee on Interstate and Foreign Commerce.

5878. Also, California Senate Resolution No. 7, in reference to, and urging passage of, House bill 4184, land-grant railroads; to the Committee on Interstate and Foreign Commerce.

5879. By the SPEAKER: Petition of the Central Labor Union of Orange County, Santa Ana, Calif., petitioning consideration of their resolution with reference to the renewal of the Emergency Price Control Act; to the Committee on Banking and Currency.

5880. Also, petition of the secretary, Potomac Synod of the Evangelical and Reformed Church, petitioning consideration of their resolution with reference to repeal of the Asiatic Exclusion Act; to the Committee on Immigration and Naturalization.

5881. Also, petition of various real-estate owners, banks, and agents of New York City, petitioning consideration of their resolution with reference to the inequities in the rent-control section of the present Emergency Price Control Act; to the Committee on Banking and Currency.

5882. Also, petition of the fifty-third continental congress of the National Society of the Daughters of the American Revolution petitioning consideration of their resolution with reference to enforcement of immigration and naturalization qualifications, etc., to the Committee on Immigration and Naturalization.

## SENATE

TUESDAY, JUNE 20, 1944

(Legislative day of Tuesday, May 9, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Edward Hughes Pruden, D. D., pastor, First Baptist Church, Washington, D. C., offered the following prayer:

Our gracious Heavenly Father, God of our fathers and our God, we thank Thee that from one generation to another Thou hast been revealing Thy power and love to all the sons of men, and that as we stand today confronted by all the uncertainty and tragedy of this hour we do not stand alone, for we have put our trust in Thee.

We are grateful that the Presiding Officer of this body has landed safely at his destination in China, and we would pray Thy richest blessings upon him as he engages in his important mission. Wilt Thou give the leadership and wisdom of Thy Holy Spirit to this body today as they face the significant issues before them. Bless our Nation and all the nations of the earth, that in due season every heart and every mind may be brought into subjection to the will of Jesus Christ, our Lord, through whom we pray. Amen.

#### THE JOURNAL

On request of Mr. GEORGE, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, June 19, 1944, was dispensed with, and the Journal was approved.

#### EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore (Mr. GILLETTE) laid before the

Senate the following letters, which were referred as indicated:

#### REPORT OF THE TEXTILE FOUNDATION

A letter from the Chairman of the Textile Foundation, transmitting, pursuant to law, the annual report of the board of directors of the Textile Foundation for the year ended December 31, 1943 (with an accompanying report); to the Committee on Commerce.

#### REPORT OF SMALLER WAR PLANTS CORPORATION

A letter from the Chairman of the War Production Board, transmitting, pursuant to law, the twelfth bimonthly report of the Smaller War Plants Corporation for the period April 1, 1944, through May 31, 1944 (with an accompanying report); to the Committee on Banking and Currency.

#### DISPOSITION OF EXECUTIVE PAPERS

Two letters from the Archivist of the United States, transmitting, pursuant to law, lists of papers and documents on the files of the Departments of the Treasury, War (6), Justice (2), Navy (2), Interior (2), and Agriculture (7); Selective Service System (2), Civil Service Commission, and Administrative Office of United States Courts (United States District Court, District of Maryland) which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

#### PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of California; to the Committee on Foreign Relations;

#### "Senate Joint Resolution 4

"Joint resolution relating to the statutory compact between the United States and the State of California, evidenced by the Boulder Canyon Project Act and the California Water Limitation Act, and opposing ratification of the treaty between the United States of America and the United Mexican States, signed at Washington, D. C., February 3, 1944, and pending before the Senate of the United States, on the ground that such treaty would constitute a breach of the said compact.

"Whereas the United States of America and the State of California heretofore entered into a certain statutory compact, which compact was made in the manner following:

"The Boulder Canyon Project Act (45 Stat. 1057) provided that if, in consideration of the passage of said act, California should within 6 months adopt an act limiting her use of Colorado River water to certain quantities, and if California and certain other States should ratify the Colorado River Compact, then said Project Act and all the provisions thereof should become effective, but otherwise should not become effective.

"California did, within said time, expressly in consideration of the passage of said Project Act, adopt such a Limitation Act (Calif. Stats. 1929, 38), and did ratify the Interstate Compact, known as the Colorado River Compact (Calif. Stats. 1929, 37), all in precise conformity to the requirements of the Project Act. The President thereupon proclaimed the Project Act effective; and

"Whereas California by the adoption of said Limitation Act did subject herself, her lands and people to a drastic reduction of the amount of water of the Colorado River otherwise available for use in California, and did by the adoption of said Ratifying Act subject herself, her lands and people to the burdens imposed by the Colorado River Compact; and

"Whereas said Boulder Canyon Project Act contains the following provisions, a part of said statutory compact, which were intended to protect and safeguard the availability to California of the quantity of water to which California limited herself, to wit, provisions: (1) That the water of the Colorado River to be conserved by Boulder Dam should be used "exclusively within the United States"; (2) that no person should have the use of the water conserved by Boulder Dam, except by contract made by the Secretary of the Interior on behalf of the United States; and (3) that such contracts should be for permanent service; and

"Whereas the Secretary of the Interior, on behalf of the United States, has entered into contracts authorized by said Project Act with public agencies of the State of California for the delivery to them, for domestic and irrigation uses, of large quantities of water of the Colorado River conserved by Boulder Dam and for other rights and benefits authorized by the Project Act; and

"Whereas said Limitation Act and said Ratifying Act were adopted by California and said contracts were entered into by California's public agencies in absolute reliance upon the full performance and observance by the United States of the above-mentioned protective provisions of the Project Act and this legislature declares that it would not have adopted said Limitation Act nor said Ratifying Act, nor would said contracts have been executed by said public agencies, had not said Project Act contained said protective provisions; and

"Whereas there is pending before the Senate of the United States a treaty, signed February 3, 1944, between the United States of America and the United Mexican States, whereby the United States would guarantee to Mexico delivery annually and in a certain prescribed manner of a quantity of the water of the Colorado River, which quantity cannot be delivered to Mexico in such manner without delivering to her water conserved by Boulder Dam; and

"Whereas said treaty, if ratified, would impair the ability of the United States to render permanent service of water under said California contracts and otherwise perform said contracts; and

"Whereas said treaty, if ratified, would create a right in water conserved by Boulder Dam, by means other than by contract with the Secretary of the Interior; and

"Whereas said treaty, if ratified, would make it impossible for the Secretary of the Interior to fulfill the contracts which he has executed on behalf of the United States under the authority of the Project Act and would make it impossible for the United States to observe and perform its obligations under said statutory compact, to wit, the above-mentioned protective provisions of said Project Act; and

"Whereas said treaty, if ratified, would cause the consideration for the adoption by California of said statutory compact to fail and said statutory compact would be thereby breached by the United States: Now therefore be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California urgently represents to the President and the Senate of the United States that the ratification of the pending treaty would constitute a breach of the solemn statutory compact entered into between the United States of America and

the State of California and evidenced by the above-mentioned statutes, to the great and irreparable damage of California; and be it further

"Resolved, That said legislature urges that the pending treaty be not ratified; and further urges that in any treaty that may be entered into between the United States of America and the United Mexican States, the rights of the State of California under said statutory compact and the contractual rights of her public agencies be fully protected; and be it further

"Resolved, That the Governor is hereby requested to transmit certified copies of this resolution to the President of the United States, the Secretary of State, the Secretary of the Interior, the Vice President of the United States as President of the Senate, the chairman and each member of the Committee on Foreign Relations of the Senate, also to each of the Senators and Representatives from California in the Congress of the United States."

By Mr. CAPPER:

A letter in the nature of a memorial from the Fredonia (Kans.) Chamber of Commerce, remonstrating against the enactment of Senate bill 1161, to amend and extend the provisions of the Social Security Act; to the Committee on Finance.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RADCLIFFE, from the Committee on Banking and Currency:

S. 1947. A bill to amend the National Housing Act, as amended; without amendment (Rept. No. 996).

By Mr. SHIPSTEAD, from the Committee on Agriculture and Forestry:

H. R. 702. A bill to permit the prepayment of the purchase price of certain housing sold to individuals by the Farm Security Administration, and for other purposes; with amendments (Rept. No. 997).

By Mr. BYRD, from the Committee on Naval Affairs:

H. R. 3976. A bill for the relief of Charles L. Kee; without amendment (Rept. No. 998).

By Mr. WAGNER, from the Committee on Banking and Currency:

S. 2004. A bill to amend the act entitled "An act to mobilize the productive facilities of small business in the interests of successful prosecution of the war, and for other purposes", approved June 11, 1942; with an amendment (Rept. No. 999).

By Mr. GILLETTE, from the Committee on Agriculture and Forestry:

S. Res. 309. Resolution to investigate conditions prevailing in the production, processing, distribution, and marketing of agricultural commodities; with amendments, and, under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DANAHER:

S. 2020. A bill for the relief of Capt. Francis Scott Bradford; to the Committee on Claims.

By Mr. HATCH:

S. 2021 (by request). A bill to create a board to be known as the National Symphony Orchestra Trust Fund Board, to define the duties of said board, and for other purposes; to the Committee on the Judiciary.

By Mr. McKELLAR:

S. 2022. A bill to safeguard the activities of the Office of Censorship; to the Committee on the Judiciary.



By Mr. TYDINGS:

S. 2023. A bill to permit Federal employees to serve as election officials; to the Committee on the Judiciary.

By Mr. WHEELER:

S. 2024. A bill authorizing the issuance of a patent in fee to J. W. Mulligan;

S. 2025. A bill authorizing the issuance of a patent in fee to Bull Shows and Horse; and

S. 2026. A bill authorizing the issuance of a patent in fee to Richard Pickett; to the Committee on Indian Affairs.

By Mr. THOMAS of Oklahoma:

S. 2027. A bill authorizing conveyance of the Seger Indian School to Colony Union Graded School District No. 1, Colony, Okla.; to the Committee on Indian Affairs.

By Mr. WALSH of Massachusetts:

S. 2028. A bill to amend the Naval Reserve Act of 1938, as amended, so as to permit foreign service of members of the Women's Reserve under certain conditions; to the Committee on Naval Affairs.

#### INVESTIGATION OF THE ALCOHOLIC-BEVERAGE INDUSTRY—LIMIT OF EXPENDITURES

Mr. MURDOCK (for Mr. McCARRAN) submitted the following resolution (S. Res. 315), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the limit of expenditures under Senate Resolution 206, Seventy-eighth Congress, first session, agreed to November 16, 1943 (relating to the investigation of the alcoholic-beverage industry), is hereby increased by \$25,000.

#### THE PUBLIC HEALTH—EDITORIAL FROM THE AMERICAN JOURNAL OF PUBLIC HEALTH

Mr. MURRAY. Mr. President, we are all aware of the great advances which have occurred in the health of the American people since the beginning of this century. Life has been made more secure. Living has been freed from many of the ailments which used to harm and cripple. A vast amount of human suffering has been prevented. Premature deaths have been greatly reduced, and the security of American families has been vastly increased.

Much remains yet to be done. With wise leadership and strong support from government and the public, our health leaders can bring even greater blessings for the future.

It is a source of great pride to all who have had responsibilities for the public welfare and the public health that they have helped to make this a healthier country than it used to be. A small group, however, has incorrectly and mistakenly claimed that the credit for these accomplishments belongs wholly or largely to the individual physician or to the private practice of medicine on a fee-for-service basis. Such extravagant claims have been repeatedly made by certain medical spokesmen, more interested in attacking and vilifying the social security bill (S. 1161) introduced by the distinguished senior Senator from New York [Mr. WAGNER] and myself than in correctly stating the facts for public education.

A brief analysis of this subject, stating the facts authoritatively, has just appeared in the American Journal of Public Health, the official publication of the American Public Health Association. It

is in the form of an editorial entitled "Who Killed Cock Robin?"

I ask unanimous consent to have this revealing editorial printed in the body of the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From American Journal of Public Health for June 1944]

#### WHO KILLED COCK ROBIN?

The reduction of the death rate by approximately 40 percent during the first 4 decades of the present century is one of the most significant events in human history. In such an achievement, there is glory enough for all. Health officers, public-spirited private practitioners, engineers, nurses, laboratory investigators, social workers, educators, have all participated in the task.

To claim the fruits of victory for one individual professional group is therefore unwarranted. To associate them with a particular sector of one profession operating on a particular economic plan is still more un-

justifiable. Yet this is what has been attempted in the flood of propaganda literature issued by the publicity staff of the National Physicians Committee for the Extension of Medical Service and distributed on a vast scale through the medium of certain agencies in the drug trade. The committee states that it has printed 20,000,000 copies of one of these leaflets, which claims that the achievements of the past years have been accomplished by American doctors operating under the American system; and it is obvious that, by the American system, is meant the private practice by individual physicians on a fee-for-service basis—since the entire flood of this propaganda is directed against any further participation by Government in the development of more adequate medical care. Such an argument obviously raises the question whether American doctors practicing on the particular system which the national committee prefers, or on the equally American plan of official public service, deserve a major share of credit for our reduced death rates. As Governor Smith used to say: "Let's look at the record." The pertinent points of this record are indicated in the following table:

Changes in mortality, 1900-40

	Death rate per 100,000		Percent reduction	Actual deaths, 1940	Deaths which would have occurred in 1940 at 1900 rates	Number of lives saved per year
	1900	1940				
Typhoid and paratyphoid fevers.....	35.9	1.1	97	1,443	47,173	45,730
Diphtheria.....	43.3	1.1	97	1,457	56,896	55,439
Diarrhea and enteritis.....	133.2	10.3	92	13,573	175,025	161,452
Measles, scarlet fever, and whooping cough.....	34.8	3.2	91	4,300	45,727	41,427
Tuberculosis.....	201.2	45.9	77	60,428	264,377	203,949
Pneumonia and influenza.....	180.5	70.3	61	92,525	237,177	144,652
All other causes.....	1,126.1	944.5	16	1,243,543	1,479,695	236,152

In this table are shown the actual results accomplished between 1900 and 1940 in the reduction of mortality from the five causes of death with which the organized health forces of the community have been concerned, and also the corresponding reduction in pneumonia and influenza, where responsibility has been shared between the public-health officer and the private physician. The last line of the table includes the changes in mortality from all other causes taken together. Many of these have also come within the scope of the public-health program.

It will be noted that typhoid fever and diphtheria mortality rates have been reduced by 97 percent. The results accomplished in the case of typhoid fever have been due to the work of the engineer, to purification of the public water supplies, improvement in sanitary conditions, and to epidemiological control and immunization programs, conducted by health officers. In the case of diphtheria, administrative control, and the use of antitoxin and later toxoid, are responsible for the accomplishment. The basic discoveries in these fields were made by men like W. H. Park working in public-health laboratories, and introduced by health officers like Hermann M. Biggs, often in face of vigorous opposition from the practitioner.

Diarrhea and enteritis of infants have been reduced by 92 percent through the pasteurization of milk supplies, under the leadership of public-health authorities, and through the establishment by boards of health and visiting-nurse associations of well-baby clinics for the instruction of mothers. Here again the initiative came primarily from the organized health forces representing the public interest.

The group of infectious diseases of childhood, measles, scarlet fever, and whooping cough, have shown a 91-percent reduction

in mortality, due in large part to vigorous and energetic epidemiological control on the part of public-health authorities. Tuberculosis, which has been cut down by 77 percent, represents the result of a program carried on in nearly all its phases through the leadership of public-health departments, public-health clinics, and publicly maintained sanatoria. Here again, it should be recalled that the introduction of the first program for the reporting of tuberculosis was strenuously opposed by the medical profession.

In the case of pneumonia and influenza the practicing physician deserves a lion's share of the credit. Even here, however, it should be pointed out that the basic discoveries in regard to serum treatment and the use of sulfa drugs were made by salaried physicians in the employ of public-health laboratories and foundations and universities, rather than by private practitioners.

It seems certain that the organized public-health profession rather than the private medical practitioner is responsible for a major part of the gains which have been made during the past 40 years.

It is no doubt true that the "Other causes" of death listed in the last line of the table are much more difficult to control than those which the Public Health Administrator has so successfully attacked; but it may be hoped that a sound system of prepayment which will make good medical care available to the lower economic half of the population, now woefully lacking in such services, would produce notable results in the reduction of many other causes of death than those which have so far been successfully attacked.

#### AGRICULTURAL EXTENSION SERVICE—ADDRESS BY HON. JAMES F. BYRNES

[Mr. MAYBANK asked and obtained leave to have printed in the Record an address by

Hon. James F. Byrnes, Director of War Mobilization, at a luncheon meeting June 19, at the Department of Agriculture, of Extension Service workers who have been with the Service for a period of 10 years or more, which appears in the Appendix.]

#### ADMITTANCE OF EUROPEAN REFUGEES— ARTICLE BY WESTBROOK PEGLER

[Mr. HOLMAN asked and obtained leave to have printed in the RECORD an article entitled "Westbrook Pegler Remarks: 'Roosevelt's "Thousand Refugees" Mere Sample,'" which appears in the Appendix.]

#### THE BONDS BETWEEN THE UNITED STATES AND THE UNITED KINGDOM— ADDRESS BY M. E. BATHURST

[Mr. HATCH asked and obtained leave to have printed in the RECORD an address on the subject of the bonds between the United States and the United Kingdom, delivered by Mr. M. E. Bathurst, legal adviser to the British Embassy, before Kappa Beta Pi, Women's International League Honor Sorority, on June 17, 1944, at Washington, D. C., which appears in the Appendix.]

#### INTERNATIONAL LAW—ADDRESS BY H. S. HALLO

[Mr. GEORGE asked and obtained leave to have printed in the RECORD an address by H. S. Hallo, first secretary of the Netherlands Embassy, delivered before Kappa Beta Pi, Women's International League Honor Sorority, which appears in the Appendix.]

#### APPROPRIATIONS FOR WAR AGENCIES

The Senate resumed the consideration of the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Georgia [Mr. RUSSELL] to strike out lines 3 to 16, inclusive, on page 10, as amended. The Senator from Mississippi [Mr. BILBO] has the floor.

Mr. BILBO. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Robertson
Barkley	Hill	Russell
Bilbo	Holman	Shipstead
Brewster	Johnson, Calif.	Stewart
Burton	Johnson, Colo.	Taft
Bushfield	Kilgore	Thomas, Okla.
Butler	Lucas	Thomas, Utah
Byrd	McClellan	Tunnell
Capper	McFarland	Tydings
Chavez	McKellar	Vandenberg
Connally	Maloney	Wagner
Cordon	Maybank	Wallgren
Danaher	Mead	Walsh, Mass.
Davis	Millikin	Walsh, N. J.
Eastland	Murdock	Weeks
Ellender	Murray	Wheeler
Ferguson	O'Mahoney	Wherry
George	Overton	White
Gerry	Pepper	Willis
Gillette	Radcliffe	

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM] are absent on official business.

The Senator from Florida [Mr. ANDREWS], the Senator from Arkansas

[Mrs. CARAWAY], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Missouri [Mr. CLARK], the Senator from Arizona [Mr. HAYDEN], the Senator from Indiana [Mr. JACKSON], the Senator from South Carolina [Mr. SMITH], and the Senator from Missouri [Mr. TRUMAN] are detained on public business.

The Senator from California [Mr. DOWNEY] is absent on official business for the Senate.

The Senator from North Carolina [Mr. BAILEY], the Senator from Texas [Mr. O'DANIEL], and the Senator from North Carolina [Mr. REYNOLDS] are necessarily absent.

Mr. WHERRY. The Senator from Vermont [Mr. AUSTIN], the Senator from Illinois [Mr. BROOKS], the Senator from Delaware [Mr. BUCK], the Senator from New Jersey [Mr. HAWKES], the Senator from North Dakota [Mr. LANGER], the Senator from North Dakota [Mr. NYE], the Senator from Idaho [Mr. THOMAS], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Iowa [Mr. WILSON] are necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The Senator from Wisconsin [Mr. WILEY] is absent attending the wedding of his daughter.

The ACTING PRESIDENT pro tempore. Sixty-five Senators have answered to their names. A quorum is present.

Mr. RUSSELL. Mr. President—

The ACTING PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Georgia?

Mr. BILBO. I yield.

Mr. RUSSELL. I appreciate the courtesy of the Senator from Mississippi in yielding to me while the junior Senator from New York [Mr. MEAD] is on the floor.

Yesterday, in the course of the remarks of the Senator from New York, he inserted in the RECORD a great deal of written material. A few minutes ago I happened to read some of this material inserted in the RECORD by the Senator during his address. In this matter the Senator took occasion to reflect upon my sincerity and my integrity. He did not make the statement openly on the floor—I was present and listened to his remarks—but he reserved it for the matter which he inserted in the RECORD and which was not read or discussed publicly.

Mr. MEAD. Mr. President—

Mr. RUSSELL. I wish now to read from page 6244 of the daily RECORD.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi has the floor.

Mr. MEAD. May I ask for the page number again?

Mr. RUSSELL. Yes; I shall read now. It is page 6244. In a long and rather elaborate brief on the constitutionality of the creation of the agency which is under discussion the Senator made this statement:

This entire constitutional argument is a smoke screen to hide the real issue. The real issue is the race issue, as all of us know. For, if the Senator from Georgia is so perturbed about Executive order agencies, why has he kept silent about other agencies similarly created?

And on page 6245 I read the following sentence:

This demonstrates the insincerity of the so-called constitutional opposition to the F. E. P. C.

I shall not, Mr. President, discuss the ethics of the action of a Member of this body in referring in such terms to another Member of the body by insertion in the RECORD rather than a statement on the floor. The decency of such procedure must be decided by each Member for himself.

Mr. MEAD. Mr. President, will my colleague yield?

Mr. RUSSELL. Yes.

Mr. MEAD. Mr. President, not being a lawyer—

Mr. RUSSELL. I wish the Senator would let me proceed for a few minutes. I do not wish to become involved in a legal discussion.

Mr. MEAD. I do not think it will be necessary for us to proceed with this discussion if the Senator will allow me the privilege of explaining just how that matter got into the RECORD and also give me the opportunity to withdraw it.

Mr. RUSSELL. Mr. President, the Senator from New York was asked on the floor yesterday who prepared that statement, and he stated that he prepared it himself.

Mr. MEAD. I said it was compiled at my instance, from hearings, debates, and discussions upon this subject, and I am sure the Senator from Georgia will agree with me that if he finds anything objectionable, and I do now from the very slight—

Mr. RUSSELL. It is not only objectionable to me, but I assert that it is absolutely untrue and without any basis in fact, and I shall proceed to show that the accusation is absolutely false.

Mr. MEAD. I assure the Senator that it is absolutely agreeable to me to have it removed from the permanent RECORD.

Mr. RUSSELL. I shall proceed because the Senator was asked yesterday to give the author of the memorandum, and he made this statement:

This is my own statement.

That was the Senator's statement on the floor yesterday, that it was his own statement.

Mr. MEAD. In further explanation I want to say to my distinguished colleague, whom I never meant in the slightest to injure in any way, that I had a complete review of all the RECORD debates and discussions made, and of course in doing so one should take out a large number of words and a large amount of data that have been compiled, and I must agree that I did not go over it all very carefully, or would never have left anything in the RECORD that would have disturbed my colleague, and I assure him that I shall take it out of the permanent RECORD.

Mr. RUSSELL. I do not care what the Senator does about taking it out of the permanent RECORD. I intend to show for the permanent RECORD that the statement is absolutely without foundation in fact.

Mr. MEAD. I join my colleague in saying that. It was not my intention to say anything to disturb my colleague.



Mr. RUSSELL. It is not a question of the Senator's colleague being disturbed. It is a question of the fact. I shall undertake to show that I have been interested in bringing many Executive agencies under the control of the Congress. It is not any new movement with me, and this statement which the Senator vouched for yesterday is absolutely without any foundation in fact.

Mr. MEAD. I assume the responsibility for it, Mr. President, because I ordered a compilation of everything available on this question since it arose, and I put it all together, and I am sorry that I did not read it over more carefully. But I want to assure the Senator that so far as I am concerned, I shall take the whole speech out if it hurts him in the slightest. I can see where that reference does him an injustice, and I want to assure him that it will come out of the permanent RECORD at my instigation.

Mr. RUSSELL. The statement does not hurt me, because it is not true. I shall try to place facts in the RECORD. The record of the Congress and of the Committee on Appropriations for some years will show that this is no new movement on my part to combat agencies that have been created by Executive order.

Mr. MEAD. I realize that, and I want to assure the Senator now that he has my fullest cooperation in the revision of anything in that statement that in any way does him an injustice. I will go as far as I possibly can to right any wrong that he may decide has been caused by that statement.

Mr. RUSSELL. I have not asked and I shall not ask that anything that the Senator has incorporated in the RECORD be revised or withdrawn. I merely wish to point out, Mr. President—

Mr. MEAD. Mr. President—  
The ACTING PRESIDENT pro tempore. Does the Senator from Mississippi yield further, and if so, to whom?

Mr. BILBO. I yield, Mr. President, until the Senators settle the question.

Mr. RUSSELL. Mr. President, the question of congressional control over executive agencies is not a new one. This is not the first time it has arisen in the Senate. I have before me the journal and the permanent records of the Senate Committee on Appropriations, which I have just sent for. At the meeting of the Committee on Appropriations which was held on May 26, 1943, the following appears from the permanent journal of the Senate Committee on Appropriations:

Emergency fund for the President: Senator McKellar called attention to the proviso under this item. Senator RUSSELL moved that the proviso be deleted, and that there be inserted in lieu thereof a new proviso. The language deleted and inserted on the adopted of Senator RUSSELL's motion is as follows:

Then follows the language deleted as follows:

*Provided*, That no part of the funds continued available by this paragraph shall be allotted to or expended for the National Resources Planning Board or the Farm Security Administration, or for any of the functions of either said Board or said Administration.

The language inserted is as follows:

*Provided*, That no part of the funds continued available by this paragraph shall be allotted to or expended for any of the functions of any agency of Government for which appropriations have been duly made by the Congress, or for the functions of any agency for which estimates have been submitted by the Budget and for which Congress has failed to make appropriations: *Provided further*, That this limitation shall not apply to allotments or allocations made to the War Department or the Navy Department.

I might recite some of the history of that amendment. It had appeared in the hearings before the committee that Budget estimates had been submitted for the operation of an agency of government that had been created by Executive order. Congress had refused to appropriate for the maintenance of that agency. The agency had been continued in existence by the allocation of moneys from the President's emergency fund, and that fund was the subject of consideration in the Committee on Appropriations. It had seemed to me, Mr. President, that it was in violation of the fundamental rights of the Congress to undertake to carry on an agency with funds appropriated for emergency purposes when the Congress had refused to appropriate after request had been duly submitted for funds for the support of such an agency. That amendment was somewhat altered, but in final form it prevented the allocation of funds for any function or project. I may read, so as to make the record complete, the amendment as it came from the conference and was enacted into law.

That no part of such fund shall be available after June 30, 1943, for allocation to finance a function or project for which function or project a Budget estimate of appropriation was transmitted pursuant to law during the Seventy-eighth Congress and such appropriation denied after consideration thereof by the Senate and House of Representatives or by the Committees on Appropriations of both bodies.

Mr. President, that was the language of the final enactment of the deficiency bill which was passed by Congress in 1943 and approved by the President. The amendment was considered before the issuance of the last Executive order of the President creating the Fair Employment Practice Committee.

Mr. President, the record of the Congress for this year shows that I was the author of an amendment to the independent offices appropriation bill which sought to go further in curtailing the action of the executive department in assuming functions which I regard as belonging to and being inherent in the right of the legislative body. This bill was reported by the committee in March of this year. I shall not read all of the proceedings in the committee, but I shall ask to have inserted in the RECORD section 213 of the independent offices appropriation bill, an amendment which related not only to the F. E. P. C. but to any number of executive agencies of Government. This amendment prohibited the transfer of any funds by the Executive for the maintenance of any agency created by Executive order which had been in existence for more than 1 year and for which

the Congress had never made appropriations or had not specifically approved by legislative action. That amendment was the subject of some debate. It was finally approved by the Senate. It was approved by the House, and is in the independent offices appropriation bill which has gone to the President.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

SEC. 213. After January 1, 1945, no part of any appropriation or fund made available by this or any other act shall be allotted or made available to, or used to pay the expenses of, any agency or instrumentality including those established by Executive order after such agency or instrumentality has been in existence for more than 1 year, if the Congress has not appropriated any money specifically for such agency or instrumentality or specifically authorized the expenditure of funds by it. For the purposes of this section, any agency or instrumentality including those established by Executive order shall be deemed to have been in existence during the existence of any other agency or instrumentality, established by a prior Executive order, if the principal functions of both of such agencies or instrumentalities are substantially the same or similar. When any agency or instrumentality is or has been prevented from using appropriations by reason of this section, no part of any appropriation or fund made available by this or any other act shall be used to pay the expenses of the performance by any other agency or instrumentality of functions which are substantially the same as or similar to the principal functions of the agency or instrumentality so prevented from using appropriations, unless the Congress has specifically authorized the expenditure of funds for performing such functions.

Mr. RUSSELL. Mr. President, no Member of the Congress has been more diligent in his attempt to assert the right of the Congress to legislate in creating agencies than has the Senator from Georgia.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a letter from the Comptroller General of the United States to a Member of the House of Representatives listing 40 or 50 executive agencies which the Comptroller General says may be affected by this amendment to the independent offices appropriation bill, of which amendment I was the author.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMPTROLLER GENERAL OF  
THE UNITED STATES,  
Washington, May 31, 1944.

HON. JAMES M. FITZPATRICK,  
House of Representatives.

MY DEAR MR. FITZPATRICK: Reference is made to your informal request for the following information:

1. A list of the Government agencies operating at present under Presidential Executive order.

2. A list of the Government agencies operating on funds set aside by the President—such as the Committee on Fair Employment Practice.

It is understood that this information is desired in connection with consideration of the possible effect of Senate amendment No. 68 to the independent offices appropriation bill, 1945, H. R. 4070. Said amendment, in

the bill as passed by the Senate, is as follows:

"Sec. 213. After July 1, 1944, no part of any appropriation or fund made available by this or any other act shall be allotted or made available to, or used to pay the expenses of, any agency or instrumentality including those established by Executive order after such agency or instrumentality has been in existence for more than 1 year, if the Congress has not appropriated any money specifically for such agency or instrumentality or specifically authorized the expenditure of funds by it. For the purposes of this section, any agency or instrumentality including those established by Executive order shall be deemed to have been in existence during the existence of any other agency or instrumentality, established by a prior Executive order, if the principal functions of both of such agencies or instrumentalities are substantially the same or similar. When any agency or instrumentality is or has been prevented from using appropriations by reason of this section, no part of any appropriation or fund made available by this or any other act shall be used to pay the expenses of the performance by any other agency or instrumentality of functions which are substantially the same as or similar to the principal functions of the agency or instrumentality so prevented from using appropriations, unless the Congress has specifically authorized the expenditure of funds for performing such functions."

I have been unable, in the time available for the compilation of the information you desire, to have an exhaustive search made. However, there appears in the Senate hearings on the bill referred to above, H. R. 4070, commencing on page 509, a letter dated February 28, 1944, from the Bureau of the Budget, furnishing, in response to a request of Senator RUSSELL, information as to agencies established by Executive order or in any other manner than by specific legislation, and as to the method by which the expenses of those agencies were financed. The two lists which follow were obtained from that source, to which reference may be made for further details. Said letter included data with respect to a considerable number of agencies originally established by Executive order, but now financed mainly by direct appropriation. In view of the purpose of your inquiry, and of the fact that these agencies are operating at this time not only under Presidential authority, but pursuant to specific annual appropriations, such agencies are not included in the lists below.

The following list shows those Government agencies operating at present under Executive orders or letters of the President, or pursuant to direction or approval of the President:

Agencies in the Executive Office of the President: Committee for Congested Production Areas; Liaison Office for Personnel Management; agencies in the Office for Emergency Management; Board of War Communications, Committee on Fair Employment Practice, Foreign Economic Administration (some constituent agencies), Office of Alien Property Custodian; agencies in the Office of War Mobilization: Retraining and Reemployment Administration, Surplus War Property Administration.

American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas.

Committee to Investigate Racial Discriminations in Certain Fields of Railroad Employment.

Federal Interdepartmental Safety Council.  
Federal Real Estate Board.  
Agency in Federal Works Agency: Federal Fire Council.

Interdepartmental Committee to Consider Cases of Subversive Activities on the Part of Federal Employees.

Interdepartmental War Savings Bond Committee.

President's Committee for Education of Men Demobilized From the Armed Forces.  
President's War Relief Control Board.  
War Refugee Board.

Agency under Department of Commerce: National Patent Planning Commission.

Agencies under Department of the Interior: Coal Mines Administration, Puerto Rico Legislative Committee.

Agency under Department of Labor: Wage Adjustment Board.

The following list shows those Government agencies operating on funds allocated by the President:

Liaison Office for Personnel Management.  
Committee for Congested Production Areas.  
Committee on Fair Employment Practice.  
Foreign Economic Administration (some constituent agencies).

American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas.

Committee to Investigate Racial Discriminations in Certain Fields of Railroad Employment.

President's Committee for Education of Men Demobilized From the Armed Forces.

President's War Relief Control Board.  
War Refugee Board.

Coal Mines Administration.  
Puerto Rico Legislative Committee.

Wage Adjustment Board (in part).

Of these agencies, now financed by funds allocated by the President, appropriations for the following are included in pending bills:

Committee on Fair Employment Practice (National War Agency appropriation bill, 1945, H. R. 4879).

President's War Relief Control Board (State Department appropriation bill, 1945, H. R. 4204).

In addition, estimates for appropriations for the following agencies have been submitted to the Congress:

Committee for Congested Production Areas (H. Doc. No. 488).

American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas (H. Doc. No. 568).

Foreign Economic Administration (H. Doc. No. 566).

While the full effect of the amendment in question may not be determined definitely from the facts now of record in this office, the following corporations, as instrumentalities of the Government, might be affected in some manner by the provision as passed by the Senate:

American President Lines, Ltd.  
Cargoes, Inc.  
Colonial Mica Corporation.  
Defense Homes Corporation.  
Federal National Mortgage Association.  
Federal Subsistence Homesteads Corporation.

Panama Railroad Company.  
Puerto Rico Cement Corporation.  
Tennessee Valley Associated Cooperatives, Inc.

United States Spruce Production Corporation.

War Emergency Pipelines, Inc.  
War Hemp Industries, Inc.  
War Materials, Inc.

Warrior River Terminal Company.  
Defense Supplies Corporation.  
Metals Reserve Company.

Petroleum Reserves Corporation.  
Rubber Development Corporation.  
Rubber Reserve Company.

United States Commercial Company.  
Institute of Inter-American Affairs.  
Institute of Inter-American Transportation.

Inter-American Educational Foundation, Inc.

Inter-American Navigation Corporation.

Prencinradio.

I trust that the foregoing will serve the purpose of your inquiry.

Sincerely yours,

LINDSAY C. WARREN,  
Comptroller General of the United States.

Mr. RUSSELL. Mr. President, not only is the charge which has been made unfair and untrue, but it is directly controverted by the records of the Congress. I have only this to say: If all the matter which was inserted at such great length by the Senator from New York has no more basis in fact than the charge printed in the RECORD, but not stated on the floor, which questions my sincerity in attempting to recapture all the powers of Congress which may have been assumed by the other coordinate branches of this Government, it is not worthy of the Senator. Neither is it worth while for any person to read or credit.

Mr. MEAD. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. MEAD. I have noted the brief references to my distinguished colleague, the junior Senator from Georgia, and I am taking them out of the permanent RECORD. I agree that in the past he has indicated an opposition to agencies of this character, and I wish to say so publicly in the Senate.

I also wish to have it understood that I gathered together all the information I could bearing upon the constitutional question, and because I did not wish to take the time of the Senate, I, therefore, asked the Senate to allow me to have it made a part of the RECORD. In the hurry of last evening I did not read it all over as carefully as I might have done. I assure the Senator that I am interested now only in a vote on this question and in making sure that there is nothing in the RECORD which would be in the slightest degree objectionable to the Senator, because I do not believe such a charge is warranted, and I wish to be as fair as I possibly can under the circumstances. It is only just that I should treat my colleague fairly.

Mr. RUSSELL. Mr. President, I appreciate the desire of the Senator from New York to be fair. I assumed, on reading this matter, which I saw only about 30 or 40 minutes ago, that the Senator from New York had not prepared the brief. It presents a very able constitutional argument for this unconstitutional—from my viewpoint—agency. Certainly the man who prepared it exhausted every recourse in an attempt to find some scintilla of authority for it. But when the Senator from New York stated, in response to a question from the Senator from Mississippi, that the remarks were his own, I could only assume that the Senator had deliberately stated in the RECORD something that was not based on fact.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the bill (S. 1157) to amend section 61 of the National Defense Act of June 3, 1916,



as amended, for the purpose of providing such training of State and Territorial military forces as is deemed necessary to enable them to execute their internal security responsibilities within their respective States and Territories.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 1232. An act to provide equitable compensation for useful suggestions or inventions by personnel of the Department of the Interior;

S. 1634. An act to provide for the management and operation of naval plantations outside the continental United States; and

S. 1669. An act to clarify the law relative to allowances for mileage of graduates of the United States Military Academy and transportation of their dependents on assignment to their first duty station and to the mileage allowance of persons entering the United States Military Academy as cadets.

The message further announced that the House had passed the following joint resolutions of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. J. Res. 93. Joint resolution declaring the policy of the Congress with respect to the independence of the Philippine Islands, and for other purposes; and

S. J. Res. 94. Joint resolution establishing the Filipino Rehabilitation Commission, defining its powers and duties, and for other purposes.

The message also announced that the House had passed the bill (S. 1432) to extend the Civilian Pilot Training Act of 1939, with an amendment; that the House insisted upon its amendment, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BULWINKLE, Mr. LEA, Mr. BECKWORTH, Mr. WOLVERTON of New Jersey, and Mr. HOLMES were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the bill (S. 1718) to provide for the settlement of claims arising from terminated war contracts, and for other purposes, with an amendment; that the House insisted upon its amendment, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SUMNERS of Texas, Mr. WALTER, Mr. KEFAUVER, Mr. HANCOCK, and Mr. GWYNNE were appointed managers on the part of the House at the conference.

The message also announced that the House still further insisted upon its disagreement to the amendment of the Senate numbered 10 to the bill (H. R. 4204) making appropriations for the Departments of State, Justice, and Commerce, for the fiscal year ending June 30, 1945, and for other purposes; agreed to the still further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. RABAUT, Mr. KERR, Mr. HARE, Mr. O'BRIEN of Illinois, Mr. CARTER, Mr. STEFAN, and Mr. JONES were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendment

of the Senate to each of the following bills of the House:

H. R. 1475. An act to amend further the Civil Service Retirement Act approved May 29, 1930, as amended; and

H. R. 3891. An act to provide night differential for certain employees.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 4320) relating to the computation of interest on contributions to the civil-service retirement fund returned to employees upon their separation from the service.

The message further announced that the House had agreed to the amendment of the Senate No. 2 to the bill (H. R. 4292) to amend section 12 (b) of the act of May 29, 1930, as amended, and that the House had agreed to the amendment of the Senate No. 1 to the bill and concurred therein with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 2654. An act to authorize the Secretary of the Interior to adjust debts of individual Indians, associations of Indians, or Indian tribes, and for other purposes;

H. R. 2869. An act to establish official checking accounts with the Treasurer of the United States for clerks of United States courts and United States marshals;

H. R. 3345. An act to authorize the leasing of Indian lands for business, and for other purposes;

H. R. 4405. An act to amend the act approved March 7, 1942 (56 Stat. 143), as amended (56 Stat. 1092; 50 App. U. S. C., Supp. III, 1001-1017, inclusive), so as to more specifically provide for pay, allotments, and administration pertaining to war casualties, and for other purposes;

H. R. 4615. An act to establish, for the investigation and control of tuberculosis, a division in the Public Health Service, and for other purposes;

H. R. 4625. An act to extend the existence of the Alaskan International Highway Commission for an additional 4 years;

H. R. 4728. An act to amend the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended;

H. R. 4780. An act to fix the fees for domestic-insured and collect-on-delivery mail, special-delivery service, and for other purposes;

H. R. 4935. An act to provide for a study of multiple taxation of air commerce, and for other purposes;

H. R. 4949. An act to amend the Second War Powers Act, 1942;

H. R. 4991. An act to remove restrictions on transfers of small craft to other American republics in furtherance of the war effort;

H. R. 4999. An act to increase the service-connected disability rates of pension for certain Regular Establishment veterans and veterans of wars prior to World War No. 1; and

H. R. 5025. An act to allow credit in connection with certain homestead entries for military or naval service rendered during World War No. 2.

#### HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H. R. 2654. An act to authorize the Secretary of the Interior to adjust debts of individual Indians, associations of Indians, or Indian tribes, and for other purposes; and

H. R. 3345. An act to authorize the leasing of Indian lands for business, and other purposes; to the Committee on Indian Affairs.

H. R. 2869. An act to establish official checking accounts with the Treasurer of the United States for clerks of United States courts and United States marshals; to the Committee on Expenditures in the Executive Departments.

H. R. 4405. An act to amend the act approved March 7, 1942 (56 Stat. 153), as amended (56 Stat. 1092; 50 App. U. S. C., Supp. III, 1001-1017, inclusive), so as to more specifically provide for pay, allotments, and administration pertaining to war casualties, and for other purposes; and

H. R. 4991. An act to remove restrictions on transfers of small craft to other American republics in furtherance of the war effort; to the Committee on Naval Affairs.

H. R. 4615. An act to establish, for the investigation and control of tuberculosis, a division in the Public Health Service, and for other purposes; and

H. R. 4728. An act to amend the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended; to the Committee on Education and Labor.

H. R. 4625. An act to extend the existence of the Alaskan International Highway Commission for an additional 4 years; to the Committee on Foreign Relations.

H. R. 4780. An act to fix the fees for domestic insured and collect-on-delivery mail, special-delivery service, and for other purposes; and

H. R. 4949. An act to amend the Second War Powers Act, 1942; to the Committee on Post Offices and Post Roads.

H. R. 4935. An act to provide for a study of multiple taxation of air commerce, and for other purposes; to the Committee on Commerce.

H. R. 4999. An act to increase the service-connected disability rates of pension for certain Regular Establishment veterans and veterans of wars prior to World War No. 1; to the Committee on Pensions.

H. R. 5025. An act to allow credit in connection with certain homestead entries for military or naval service rendered during World War No. 2; to the Committee on Public Lands and Surveys.

#### CLAIMS ARISING FROM TERMINATION OF WAR CONTRACTS

Mr. MURRAY. Mr. President, a message has just been received from the House, relating to Senate bill 1718, the war contract termination bill. The House has requested a conference. I should like to have the message laid before the Senate at this time, because the conferees on the part of the House are here in the corridor, waiting to hold a conference on the bill.

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives insisting on its amendment to the bill (S. 1718) to provide for the settlement of claims arising from terminated war contracts, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MURRAY. I move that the Senate disagree to the amendment of the House, agree to the conference asked by the House on the disagreeing votes

of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The ACTING PRESIDENT pro tempore. The question is on the motion of the Senator from Montana.

The motion was agreed to; and the Acting President pro tempore appointed Mr. MURRAY, Mr. JOHNSON of Colorado, Mr. WALLGREN, Mr. GURNEY, and Mr. REVERCOMBE conferees on the part of the Senate.

#### EXTENSION OF CIVILIAN PILOT TRAINING ACT

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives insisting upon its amendment to the bill (S. 1432) to extend the Civilian Pilot Training Act of 1939, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. RADCLIFFE. Mr. President, I move that the Senate disagree to the amendment of the House, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Acting President pro tempore appointed Mr. RADCLIFFE, Mr. MEAD, and Mr. BREWSTER conferees on the part of the Senate.

#### INDEPENDENCE OF THE PHILIPPINE ISLANDS

The ACTING PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 93) declaring the policy of the Congress with respect to the independence of the Philippine Islands, and for other purposes, which were, on page 4, line 2, to strike out "full and", and on page 4, line 6, after "authorized", to insert "after proclaiming that constitutional processes and normal function of government have been restored in the Philippine Islands and."

Mr. TYDINGS. Mr. President, I should like to say that the joint resolution which has for its purpose the possible acceleration of the date of ultimate Philippine independence is one of the measures which we have just considered, to which the House made minor amendments. At the time the joint resolution was introduced in the Senate by me it was as a result of a conference with various members of the President's Cabinet, members of the Army and Navy, and members of the Filipino Cabinet, in which the President of the Philippines, President Manuel Quezon, took a leading part, as did the Vice President, Mr. Osmeña.

However, in order that, so far as the joint resolution is concerned, there may be no misunderstanding of it, its intention was not to postpone, in the face of any contingency, the date for independence as set forth in the Tydings-McDuffie Act, but only if circumstances permitted it to come before that ultimate date this joint resolution would be effective insofar as that feature of the act is concerned.

In order that my own position in that respect may be clear, let me quote just one paragraph from a letter I wrote to President Manuel Quezon attempting to clarify what I thought was the situation. It is as follows:

Delegate ELIZALDE also spoke to me in reference to Senate Joint Resolution 93, which I personally feel should be passed by the House. I have been informed of your misgivings concerning this legislation, but I can assure you that it is my personal opinion that Senate Joint Resolution 93 does not authorize the postponement of independence beyond July 4, 1946.

Which was the date fixed in the Tydings-McDuffie Act—

The passage of this resolution will put you in a most favorable position. If the United States forces should recapture the Philippines before 1946, independence would be advanced. If the occupation should be retarded beyond July 4, 1946, independence would nevertheless be a reality on the date provided by the Tydings-McDuffie law. Such was my understanding in the conferences held in connection with and prior to the introduction of this resolution.

Thus it will be seen from the letter, as I am sure it will appear from the law, that in no case would Philippine independence come later than July 4, 1946, and if our military ventures in the Philippines make it possible to give the Filipinos independence prior to that date, it will be accorded to them prior to that date, but in neither event does the law have in mind postponing ultimate independence beyond July 4, 1946.

Mr. President, I move that the Senate concur in the amendments of the House. The motion was agreed to.

#### FILIPINO REHABILITATION COMMISSION

The ACTING PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 94) establishing the Filipino Rehabilitation Commission, defining its powers and duties, and for other purposes, which were, on page 1, to strike out lines 3 and 4 and insert "That section 13 of the act of March 24, 1934, as amended, is hereby further amended by striking out the proviso and inserting in lieu thereof the following"; on page 1, line 5, to strike out "Sec. 13"; on page 2, line 4, after "Philippines", to insert "each appointee shall serve at the pleasure of his appropriate appointing authority"; on page 2, line 24, after "present", to insert "or heretofore agreed upon"; on page 2, line 25, to strike out "replace" and insert "make adjustments for"; on page 3, line 1, to strike out all after "Japanese", down to and including "of", in line 4, and insert "in order to reestablish"; on page 3, line 23, after "be", to insert "on a per diem basis at the date of", and to amend the title so as to read: "Joint resolution to amend section 13 of Philippine Independence Act, as amended, establishing the Filipino Rehabilitation Commission, defining its powers and duties, and for other purposes."

Mr. TYDINGS. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

#### NAVAL PLANTATIONS OUTSIDE THE CONTINENTAL UNITED STATES

The ACTING PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill from the Senate (S. 1634) to provide for the management and operation of naval plantations outside the continental United States which was, to strike out all after the enacting clause and insert:

That hereafter the appropriations for the subsistence of naval personnel shall be available for any and all expenditures necessary in the management, operation, maintenance, and improvement of any plantation or farm, on land subject to naval jurisdiction outside of the continental United States, for the purpose of furnishing food and food products to the armed forces of the United States: *Provided*, That equipment, material, and supplies required therein may be purchased without regard to section 3709 of the Revised Statutes, and other laws applicable to purchases by governmental agencies: *Provided further*, That only American nationals, employees of the United States, shall be entitled to benefits under the civil-service laws, and other laws of the United States relating to the employment, work, compensation, rights, benefits, or obligations of civilian employees of the United States: *Provided further*, That surplus production over the amount furnished or sold to the armed forces of the United States and to civilians serving with the armed forces may only be sold outside the continental limits of the United States: *And provided further*, That no land shall be acquired under this authorization.

SEC. 2. This act shall remain in effect until the termination of the present war and for 6 months thereafter.

Mr. WALSH of Massachusetts. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

#### APPROPRIATIONS FOR WAR AGENCIES

The Senate resumed the consideration of the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on the amendment of the Senator from Georgia [Mr. RUSSELL] to strike out on page 10, lines 3 to 16, inclusive, as amended.

Mr. BILBO. Mr. President, I am glad to have yielded to my colleagues for this discussion. I promise the Senate not to consume much time. I had seriously considered the advisability of not speaking at all, because I discovered, in association with my colleagues, that the die had already been cast. Their minds seemed to me to have been made up, and it seemed to me that we might as well proceed to a vote. However, in order to keep the record straight, I have decided to make a few observations.

I wish to begin by referring to the June 13 issue of the Washington Post. Senators know this newspaper. They know who owns it and who fixes its policies. It is our good friend Eugene Meyer, together with his good wife. We are not surprised at the things we sometimes see in this newspaper. In fact, whatever I see in it does not disturb me.

The Washington Post for June 13 contains an editorial under the heading



"Fair practices." It reads in part as follows:

Unfortunately, however, the issue has been distorted and obscured—imbued with wholly irrelevant emotional overtones and linked with complex questions of interracial relations.

In conclusion the editorial says:

The House has voted an appropriation of half a million dollars to carry on the F. E. P. C.'s work. The Senate Appropriations Committee, despite an unfavorable subcommittee report, has recommended the approval of this sum. Today the Senate as a whole will begin discussion of it. We hope that the discussion will be concerned with the real issue—not with bugbears conjured up to obfuscate it. We cannot deny to citizens of the United States equality of economic opportunity.

With this introduction I wish to state that I am convinced that a great many of my colleagues have not stopped to analyze the real meaning of this piece of legislation. There has been no attempt to "obfuscate" the issue, as the Post says. The line of discussion up to date has dealt with the legal and constitutional aspects. I think it is pretty well agreed that there is no constitutional ground upon which this appropriation could be made; that the President has exceeded his authority and powers under the Constitution; and that this action cannot be constitutionally approved. The reason it is going to be approved is that it was conceived and brought forth in the political mind. The purpose of it is political, from beginning to end, as I propose to show.

A few years ago a Member of the House facetiously remarked that many times we vote for bills, and the next day we buy the newspapers to see what we voted for. That remark was only facetious, but there may be a suggestion of truth in it. For example, the other day we voted \$909,500 for the support of Howard University, in the city of Washington. The only ground upon which we could appropriate that much of the taxpayers' money would be on the general ground of public welfare. There is certainly no authority for it, unless we stretch the Constitution, as Thomas Jefferson did when he purchased the Louisiana Territory. The appropriation cannot be justified. In the reconstruction days following the Civil War, under the leadership of Thaddeus Stevens, Charles Sumner, and others of their kind who were embittered against the South and were trying to rejuvenate the black race, the idea of establishing Howard University for the higher education of the Negro was conceived, and Congress has continued from year to year to make appropriations for the support of this institution, spending nearly \$1,000,000 a year for it.

Nearly all the States in the Union in which there is a Negro population have established educational institutions for the Negroes. In Mississippi we have a very fine Negro college, supported by the State. That is all right; it should be done. But the Congress of the United States spends the taxpayers' money for only one university in America, and that

is Howard University. It is exclusively for the Negro race, not for the members of the white race. That cannot be justified. It must be excused simply on the broad ground that it is good for the public welfare. But when we voted for that appropriation the other day I dare say not many Senators knew what is being done at Howard University.

I wish to read to the Senate a write-up on some of the things which are happening there:

Speaking on a program which included remarks by Representative HAMILTON FISH, of New York—

All Members of the Senate know him—Representative HAROLD KNUTSON, of Minnesota—

He is well known—

Representative WILLIAM A. ROWAN, Edgar G. Brown—

Of local fame—

Rev. Walter H. Brooks, Benjamin Crowson, and a splendid address by Dr. Charles R. Drew, Spingarn Medal winner and the first director of the American Blood Bank, who in giving the story of blood and blood plasma said that there is no difference between colored and white peoples' blood, Prof. William Leo Hansberry—

Note that name, please—

famous anthropologist of Howard University presented interesting discoveries to a thrilled interracial audience at the monthly banquet forum of the Institute on Race Relations held at the Asbury Methodist Church, 11th and K Streets NW, Washington, D. C., last Thursday, April 27, 1944.

The Asbury Methodist Church is the same place at which was held a mass meeting during which there was adopted a resolution asking me to resign as chairman of the Senate Committee on the District of Columbia. I imagine about the same kind of crowd was present there when the meeting I am now referring to was held.

I read further from the résumé:

Professor Hansberry, who was introduced by Tomlinson D. Todd, the President of the Institute on Race Relations, gave a vivid picture of early African civilizations. He also presented in a clear style the migration of the population in the Sahara region of Africa (and now the Sahara desert) to Europe and Asia, when this region started drying up and turning into a huge desert. As a result of climatic conditions, Negro-type people bleached out in Europe and became the white people. To substantiate this early migration he stated, "skeletons of the Negro type have been found in several European and Asiatic countries."

In his discourse, the speaker enumerated 3 reasons for the collapse of the African civilizations. This collapse, "which occurred in the fifteenth, sixteenth, and seventeenth centuries, was caused by (1) the slave trade carried on by the Arabs; (2) the continuous drying up of the Sahara region; (3) the European slave trade which lasted 250 years."

"Since a race of people is judged by its past achievements," he stated, "it is important that information about Africa's contribution to civilization be assembled and put into the language of the layman or average man."

In other words, the Congress of the United States is paying the taxpayers' money for the support of a university at which the professor of anthropology is

teaching American Negro youth that the white man descended from the Negro. I do not know whether Senators like that idea or not. It is news to me. Senators may wish to know why so many outbreaks have been occurring—and I shall deal with them directly—among the younger generation of Negroes. It is because of the dissemination into their minds of this kind of doctrine or teaching. Dr. Hansberry demonstrates and proves to a class of young Negroes that, because a Negro-type skeleton was found somewhere in northern Europe, all the white people have migrated from Africa or have descended from the Negroes, and that the reason they are white is that they went north and bleached out. Mr. President, certainly such teaching makes the young Negro feel he is the beginning and the end of all races and of all things. The outbreaks which I shall mention in a few minutes have been occurring as a follow-up on the question of discrimination.

Mr. President, I have brought to the attention of the Senate the matter of the teaching of anthropology at Howard University by Dr. Hansberry to prove that frequently when we are doing things we do not know what we are doing. I do not think any Senator on the floor would relish the idea that he was paying out the taxpayers' money to support a university which was permitting the professor of anthropology at that university to teach this kind of doctrine, namely, that the white man descended from the Negro, merely because an African skeleton happened to be found in northern Europe. Dr. Hansberry does not let his mind go free, or he would at once understand that the white man had gone down to Africa and gotten an African, carried him back into Europe, and used him there as a slave, as we did in this country before the Civil War. I cannot help it if that Negro died in northern Europe. All reputable anthropologists and ethnologists agree that the human race is divided into three classes, namely, the white, black, and brown. This is the first time I have known of any professor in a university advancing the idea that the white race descended from the black race.

It is true that prejudices exist here and there between the races. We do not like the Japs, and we are not infatuated with the Chinese. When I say "we," I do not mean to include Miss Pearl Buck, but I am referring to the rest of us. The Chinese belong to an entirely different race. I have no hatred against the Negro. I can make that statement truthfully, and I think my personal record will prove that I have no hatred for him. For 8 years I was Governor of the only State in the Union in which there were more Negroes than whites. I had no trouble with them. I treated them fairly and squarely. I tried to give them a break in life, and afford them opportunities for education. When I thought that a job had been "put up" on a Negro in the courts I was free in my use of the pardoning power in order to adjust the situation. There were only a few cases of lynching during my tenure of office. Once in awhile a rape occurred, and no

power of any Governor could have stopped the administration of immediate justice—liquidating the rapist. However, I can say that there were fewer cases involving the breaking down of law in Mississippi than in New York State. It is a matter of official record that there is, on an average, a killing of at least one Negro every night in Harlem, New York. Yet, that locality is the source of a great deal of the clamor with reference to race prejudice and race discrimination.

Behind the bill under consideration is the fundamental idea advanced by A. Philip Randolph, Judge Hastie, Judge Wilkins, of the N. A. A. C. P., and Walter White, of the N. A. A. C. P., that any form or type of segregation is a discrimination. The committee for which we are asked to appropriate \$500,000 of the people's money is married to the one idea that segregation of any sort is discrimination. The Supreme Court has held repeatedly that segregation wherein both parties are given equal treatment is not discrimination. But in the midst of the war the persons to whom I have referred are determined to carry on and prosecute their campaign to eliminate all types of segregation.

Many persons in this country are coddling and playing up to the Negro in order to secure his vote. Personally, or in any other way, I am not interested in the Negro voting. The Negro does not vote in my State, and he is not going to vote within a long, long time. Congress may pass all the anti-poll-tax legislation it wishes to pass, but the Negro is not going to vote in my State at this time. I suggest that if any of them wish to vote they can move to New York or Pennsylvania, in either of which States they will possibly find a more congenial atmosphere.

I hold in my hand a signed statement of A. Philip Randolph. He takes credit for bringing about the appointment of the Committee on Fair Employment Practice, and points to it as an achievement in connection with his famous "On to Washington" movement, which took place in 1941, when he organized 200,000 Negroes, and proposed to march on the city of Washington and demand all the things which the Negro, through the N. A. A. C. P. and other organizations, are demanding today. It has been freely charged that the President made a trade with Randolph in order to prevent his march on Washington, and that he issued for Randolph the famous Executive Order No. 8802.

Mr. President, I shall take the time of the Senate to read into the RECORD what Randolph says about this proposition. It is headed "Why Should We March?" and reads as follows:

Though I have found no Negroes who want to see the United Nations lose the war, I have found many who, before the war ends, want to see the stuffing knocked out of white supremacy and of empire over subject peoples. American Negroes, involved as we are in the general issues of the conflict, are confronted not with a choice but with the challenge both to win democracy for ourselves at home and to help win the war for democracy the world over.

There is no escape from the horns of this dilemma. There ought not to be escape. For if the war for democracy is not won abroad, the fight for democracy cannot be won at home. If this war cannot be won for the white peoples, it will not be won for the darker races.

Conversely, if freedom and equality are not vouchsafed the peoples of color, the war for democracy will not be won. Unless this double-barreled thesis is accepted and applied, the darker races will never wholeheartedly fight for the victory of the United Nations. That is why those familiar with the thinking of the American Negro have sensed his lack of enthusiasm, whether among the educated or uneducated, rich or poor, professional or nonprofessional, religious or secular, rural or urban, north, south, east, or west.

That is why questions are being raised by Negroes in church, labor union, and fraternal society; in poolroom, barbershop, schoolroom, hospital, hair-dressing parlor; on college campus, railroad, and bus. One can hear such questions asked as these: What have Negroes to fight for? What's the difference between Hitler and that "cracker" Talmadge of Georgia? Why has a man got to be Jim Crowed to die for democracy? If you haven't got democracy yourself, how can you carry it to somebody else?

What are the reasons for this state of mind? The answer is: Discrimination, segregation, Jim Crow. Witness the Navy, the Army, the Air Corps; and also Government services at Washington. In many parts of the South, Negroes in Uncle Sam's uniform are being put upon, mobbed, sometimes even shot down by civilian and military police, and on occasion lynched. Vested political interests in race prejudice are so deeply entrenched that to them winning the war against Hitler is secondary to preventing Negroes from winning democracy for themselves. This is worth many divisions to Hitler and Hirohito. While labor, business, and farm are subjected to ceilings and floors and not allowed to carry on as usual, these interests trade in the dangerous business of race hate as usual.

When the defense program began and billions of the taxpayers' money were appropriated for guns, ships, tanks, and bombs, Negroes presented themselves for work only to be given the cold shoulder. North as well as South, and despite their qualifications, Negroes were denied skilled employment. Not until their wrath and indignation took the form of a proposed protest march on Washington, scheduled for July 1, 1941, did things begin to move in the form of defense jobs for Negroes. The march was postponed by the timely issuance, June 25, 1941, of the famous Executive Order No. 8802, by President Roosevelt. But this order and the President's Committee on Fair Employment Practice, established thereunder, have as yet only scratched the surface by way of eliminating discriminations on account of race or color in war industry. Both management and labor unions in too many places and in too many ways are still drawing the color line.

If we read the record of proceedings under Dr. Ross, it will be found that the Committee is delving into every department of the Government. Today Mrs. Norton, in the other House, is working hour after hour in an attempt to have passed through the House a bill to make the Committee permanent, and to include within its jurisdiction every organization and every business activity in the country which, under the definition of the Supreme Court, comes under interstate commerce. Then, as Randolph says, he will begin to scratch the surface and more than scratch the surface.

I wish to say to some Senators who are planning to vote for this appropriation and to give life to this movement they had just as well get ready to select one of these mulattoes or high-brown or yellow girls as their stenographer, because Dr. Ross and his organization will be serving notice on them, when he becomes fixed and permanent in his position, that Senators are discriminating against the colored girls of the Nation; that Senators ought to have Negro girls in their offices, and they had just as well get ready for it. It is coming, and I assure them that when they get one all the B. O. powders on earth will not dissipate the odoriferous aroma they will find permeating their offices day by day.

When A. Philip Randolph got his Order No. 8802 in a trade with the President not to bring his Negroes on to Washington, what did they do? What has this Committee done for the District of Columbia? Go down into the departments and it will be made plain. Before this took place there was some semblance of segregation in all the departments. But what did they do? They proceeded at once to visit all the departments of the Government in Washington, tear out the partitions that separated the eating places of the whites and the blacks, and throw them all together at the same table. Then they tore out the partitions separating the closets, the rest rooms, and the wash rooms in all departments, and forced all employees to use the same rest rooms. That is what has been taking place as the result of this order, of this Committee, of this movement.

Some of my colleagues may have schooled themselves to tolerate or endorse forcing the white women in the departments to use the same toilet facilities used by the colored employees, but I have not yet reached the point where I think it is proper for the United States Congress to support legislation and appropriate the tax money to foster and perpetuate an organization that is engaged in this kind of business, of forcing white girls from all over the Nation—I am not speaking solely of white girls from the South—not only to eat with the Negro, in violation of all their conceptions and ideals of the relationship between the two races but forcing them to use the same toilets. There are all sorts of disorders taking place between the whites and the blacks in the departments because of the enforcement of the order doing away with the segregation of the races insofar as the eating places and the toilet facilities in the departments are concerned.

It is to meet this situation squarely with direct action that the March on Washington Movement launched its present program of protest mass meetings. Twenty thousand were in attendance at Madison Square Garden, June 26; 9,000 in the City Auditorium of St. Louis, August 14. Meetings of such magnitude were unprecedented among Negroes. The vast throngs were drawn from all walks and levels of Negro life—businessmen, teachers, laundry workers, Pullman porters, waiters, and red caps; preachers, craps shooters, and social workers; jitterbugs and Ph. D.'s. They came and sat in silence, thinking, applauding only when they considered the truth was told, when



they felt strongly that something was going to be done about it.

The March on Washington Movement is essentially a movement of the people. It is all Negro and pro-Negro, but not for that reason anti-white or anti-Semitic, or anti-Catholic, or anti-foreign, or anti-labor. Its major weapon is the nonviolent demonstration of Negro mass power. Negro leadership has united back of its drive for jobs and justice. "Whether Negroes should march on Washington, and if so, when?" will be the focus of a forthcoming national conference. For the plan of a protest march has not been abandoned. Its purpose would be to demonstrate that American Negroes are in deadly earnest, and all out for their full rights. No power on earth can cause them today to abandon their fight to wipe out every vestige of second class citizenship and the dual standards that plague them.

A community is democratic only when the humblest and weakest person can enjoy the highest civil, economic, and social rights that the biggest and most powerful possess. To trample on these rights of both Negroes and poor whites is such a commonplace in the South that it takes readily to anti-social, anti-labor, anti-Semitic, and anti-Catholic propaganda. It was because of laxness in enforcing the Weimar Constitution in republican Germany that nazi-ism made headway. Oppression of the Negroes in the United States, like suppression of the Jews in Germany, may open the way for a Fascist dictatorship.

By fighting for their rights now, American Negroes are helping to make America a moral and spiritual arsenal of democracy. Their fight against the poll tax, against lynch law, segregation, and Jim Crow, their fight for economic, political, and social equality, thus becomes part of the Global War for freedom.

In other words, A. Philip Randolph, the organizer and the head of the on-to-Washington movement, which gave birth to the Fair Employment Practice Committee, which is under discussion—and he takes full credit for getting it as a result of his efforts to invade Washington with 200,000 Negroes en masse—does not hesitate. He says very frankly that one of the things the Negro is fighting for in this war and in this campaign and this Committee is social equality between the whites and the blacks. It will be found that some of the Negro agitators and some of the Negro speakers and preachers say, "Oh, no; we do not want social equality; we want our economic rights; we want our political rights." They lie. Back in the heart of every Negro in America who is behind movements of this kind is the dream of social equality and intermarriage between whites and blacks. They boast of the fact. Dr. Franz Boas, the great anthropologist of Columbia University, boasts of the fact that the intermarriage and the mingling of the two bloods would bring about a better race. On that theory there have been books written—*The Yellow Race*. That is their dream; that is their hope; that is what they are fighting for.

The Negro gets an economic square deal as much as could be expected. He is given a chance to work, unless he fails to join a union. Of course, now, if he does not pay his lodge "poll tax" and his monthly dues and his initiation fee, he can starve and go to hell so far as the C. I. O. and the other unions are concerned, because they demand payment of the poll tax before a man can work—

and work is a greater right than is voting.

Members of the Senate ought to know where the Fair Employment Practice Committee came from. It was born through the activity of A. Philip Randolph, who organized the movement "On to Washington," and the President made a trade with him, I am informed, and issued the famous Executive Order 8802.

Things were not getting along very well, and they organized a committee headed by Mr. Mark Etheridge, who is now connected with the old Louisville Courier in Louisville, Ky. Then they had Dr. McLean as head of it, and finally they reorganized again and made Dr. Ross the head of it, and it is the present organization we are now considering.

Mr. President, it has been charged freely many times that instead of this Committee being of real benefit to the war effort and unity, it is sowing the seeds of discord, and bringing about disruptions, bringing on strikes and conditions of that kind. I wish to read a paragraph from PM, the issue of Sunday, June 18, last Sunday. From New Orleans, La., comes this special:

New Iberia authorities conceal story of worst anti-Negro flare-up in years.

Four leading Negroes of New Iberia were sorely beaten and forced to leave that part of Louisiana.

Let me read the background of this:

The seeds of this instance of race persecution were planted, according to the victims, when a committee of Negroes, led by Hardy as representatives of the N. A. A. C. P.—

That is Walter White's organization. By the way, I presume all Senators have read in the New York Times and other newspapers that Walter White celebrated his twenty-fifth anniversary in the Roosevelt Hotel a few nights ago, and the leading actors at the celebration were Mrs. Eleanor Roosevelt and Wendell L. Willkie. A collection was taken up, and Mr. Willkie gave the N. A. A. C. P. a nice little check for \$5,000. There is no record of Mrs. Roosevelt making any contribution, except what she had to say.

I continue reading from the dispatch:

The seeds of this instance of race persecution were planted, according to the victims, when a committee of Negroes, led by Hardy as representatives of the N. A. A. C. P., asked that a welding school for Negroes be established, shortly after the opening of a similar school for whites by the War Manpower Commission and the United States Department of Education.

Listen to this:

Local efforts of the Negro committee met with failure, it is said, and the committee then contacted the F. E. P. C. office in Dallas, Tex.

And the next Monday morning they opened a welding school for the Negroes, the riot broke out, and the Negroes had to leave town.

Mr. President, that indicates exactly what this organization is doing. They are so extreme, they are so radical, that instead of letting the white man and the black man work out their own salvation when they are forced to live side by side, as they have been doing, agitators and long-haired social workers, like Dr.

Ross, are sowing the seeds of discord throughout the country, and they are using this instrument of government to bring about trouble.

Now let us see about some more trouble that has been happening as a result of all this coddling and these political appeals to the Negroes. I read from the New York Times:

PASSENGER ON B. M. T. TRAIN SHOT FOR OBJECTING TO ROWDY ACTS OF EIGHT YOUNG NEGRO HOODLUMS

Eight Negro hoodlums, 15 to 17 years old, terrorized more than a hundred passengers on a Brighton Beach Line B. M. T. subway train bound from Coney Island to Franklin Avenue, Brooklyn, last night, and when one of the passengers objected they felled him with a blow and, while he was lying prostrated, shot him twice.

The youths escaped at the Park Place Station before police radio cars reached the scene. Their victim, John Montero, 29 years old, of 1683 University Avenue, the Bronx, was taken to Jewish Hospital, suffering from bullet wounds of the left wrist and the left hip. His condition was not dangerous, it was said at the hospital.

Listen to this:

The Negro youths boarded the eight-car train, some sections of which were crowded, at the Prospect Park Station, shortly before 9 p. m. They began running through the cars yelling:

"This is D-day for the colored folks, white trash get off."

Pushing passengers about and rough-housing them, the boys made themselves obnoxious, and when the train stopped at the Botanical Gardens Station a number of the passengers got off, to wait for the next train. The gang continued its rowdiness, seeking to annoy the passengers.

As the train approached the Park Place Station, Mr. Montero told the boys to quiet down, that their conduct was beyond endurance. One of the boys took a swing at him, hitting him in the jaw. He fell to the floor. Before the other passengers could see what was happening, two revolver shots rang out, the bullets finding a mark in Mr. Montero's prone body.

Police of the Grand Avenue Station are investigating.

I read an article entitled "Editorials of Note," which quotes from the Columbus Commercial-Dispatch, as follows:

#### EDITORIALS OF NOTE

From the Columbus Commercial-Dispatch the following incident where the races are mixed in New York City shows the dangers of such a system even in northern communities:

NEW YORK, May 11.—Police reported that 25 white and 25 Negro girls fought for almost half an hour in the cafeteria of Brooklyn Girls High School today and that 4 pupils were injured, 1 seriously.

Rose Gallop, 16, Negro, was arrested on a charge of third-degree assault on complaint of Albert Levine, a white teacher, who said she assaulted him when he told her to stay in line just prior to the disturbance.

Police told this story:

"White girls defending the teacher's action, and Negro pupils, taking the side of the Gallop girl, argued and then fought with chairs, dishes, fists, and fingernails as weapons.

"Edna Farnsworth, principal, and Alice Garvey, her assistant, attempted unsuccessfully to restore order, then called police.

"Fifteen uniformed policemen and 10 detectives responded and quelled the disturbance."

This is just one instance of the consequences of the violation of the basic, fundamental system of race segregation.

Segregation is the only basis on which the two races can live in peace and harmony and it is inescapable.

No right-thinking person wants to deny Negroes their economic and civil rights.

They are entitled to fair and just treatment.

They are entitled to live in peace and to enjoy the economic and civil rights of free people.

But racial differences must be recognized and wise and just and reasonable segregation is the only solution of the problem.

This is fundamentally true and inescapable, all the agitation of troublemakers to the contrary notwithstanding.

That, Mr. President, is another instance of LaGuardia government and coddling from Washington of the young promising American Negro.

I read from another newspaper article, as follows:

**BOY TELLS HOW 10 YOUTHS BEAT WOMAN ON TROLLEY**

An eyewitness related today that at least 10 Negro boys and girls kicked and punched a woman passenger into unconsciousness in a wild purse-snatching melee aboard a Brooklyn trolley last night and escaped by leaping through the windows of the car, leaving behind razors and knives.

The incident, which occurred in a Tompkins Avenue trolley shortly after the car left its terminal at Empire Boulevard and Prospect Park, was described by a 16-year-old boy, also a passenger, who asked that his identity be withheld because he feared attempts at reprisal.

Fifteen Negro youths were rounded up by police with guns drawn after the disturbance.

Police said one open razor and seven knives were found in the car.

Principal victim of the attack was Ruth Upham, 25, of 1096 Park Avenue, Brooklyn, an insurance broker and student at Columbia University Teachers College.

"Miss Upham was standing in front of me," the eyewitness told a reporter. "I was seated. First, they started to shout and push. Purse snatching came next. She was knocked onto me, and I tried to shield her face from punches."

**SAW RAZOR, KNIVES**

"They jabbed and kicked and punched her. There must have been 10 or more. As the trolley car neared the station (the Empire Boulevard police station, where the motor-man halted the car and summoned police), Negroes in the rear started to jump out of the windows, apparently afraid to be caught with weapons."

"When the trolley was cleared I saw at least one open straight-edge razor and two knives on the floor. Other articles were everywhere."

Miss Upham, who had a laceration over the left eye and was limping from what, she said, was a severe back injury, she said: "I was knocked out before we got to the station house and when I woke up I was on a bench in the police station."

Miss Upham said she lost count of the blows rained on her after receiving between 40 and 50.

She said she had attended the baseball game with a group of friends at Ebbets Field and was on her way to Manhattan for dinner when the disturbance broke out. She said a \$5 bill was missing from her purse when she recovered it.

The facts set forth in this article are too disgusting to read further.

Mr. President, this is some of the fruit of the plantings by certain race coddlers

in the minds of the Negro. A doctor at Howard University said that the white man descended from the Negro. This is only an example of what is taking place and what is going to take place. Right here in Washington we are headed for trouble. Practically two or three times a day I have callers from among the citizens of the District who think I can give them relief, who complain about the methods being pursued by a number of Negro real-estate agents and some unethical and unprofessional white real-estate agents who do not belong to the real-estate board in the District of Columbia—they are too sorry specimens to be licensed—who are engaged in an assiduous campaign of trying to break up the white districts in the city of Washington. Their scheme is to manipulate until they can buy one house or one lot in the center of a white block, and the minute that is done—sometimes they move the Negroes in after night—then the value of the real estate in that block at once drops from 10 to 15 or 20 percent under the market. The people who have spent their lives trying to accumulate money to build a home in which to live in the Capital of the Nation are now face to face with this menace because of the preaching that segregation is discrimination, and there is a concerted move on to break up white sections throughout Washington.

I listen to these cases day after day, and the situation is very regrettable. I wish there was something I could do about it. But unless there is a covenant in the deed, there is no law by which a Negro can be prevented from buying a lot or a home in the middle of a white block. I do not know of any way to reach the situation. Of course if this were done in the South I would know how to handle it. But Washington, as Senators know, while sometimes called a southern city, is on the borderline, and I am convinced, as I have said, and that is one of the reasons why I am opposing suffrage for the District, that there is a concerted movement to drive the white people out of Washington into Virginia and Maryland, and to flood the town with Negroes, so in case the citizens of Washington are given the right to vote there will be a Negro administration in the Nation's Capital. That is the dream of the black cabinet here in Washington.

Mr. President, I now want to read an open letter written by a man who is in the publishing business in Washington, a very fine gentleman whom I have had the pleasure of meeting. The letter is addressed to Mrs. Franklin D. Roosevelt, to Senator THEODORE G. BILBO, to the president of Howard University, to the Secretary of the Washington Real Estate Board, to the secretary of the District of Columbia Real Estate Commission, to the secretary, Federation of Citizens Associations, to the secretary, Federation of Civic Associations, to Representative JENNINGS RANDOLPH, to the editor, Afro-American, the editor of the Evening Star, the editor of the Times-Herald, the editor of the Washington Post, the editor of the Washington Daily News, and the editor of the Bulletin. I do not

know what newspaper the last one is. The letter is as follows:

PARK VIEW CITIZENS' ASSOCIATION,  
Washington, D. C.

DEAR MADAM AND SIRS: This is an open letter to the people of Washington, inspired by what is without question a definite injustice being done colored people by certain unscrupulous, unethical white and colored real estate dealers operating in what is known as Park View.

The observations I am about to bring to the attention of the people of Washington have been gathered by me as chairman of the housing committee of the Park View Citizens' Association through close contact with the residents of my community and conversations with certain real-estate operators of our city.

We—and when I say we, I mean the reasonable-thinking members of my association—hold no grudge against the colored people, nor do we feel that the time is too soon that the right-thinking, properly prepared colored person should not enjoy equal opportunity—let this be a matter of record. We do object, however, to being forced to vacate our homes in favor of colored people who are being promoted by selfish real estate dealers. Dealers who have no other motive but to enrich their own treasuries at the expense of the colored man by—

1. Selling him old houses at two and three times their original price. Houses that sold for \$3,800 when brand new 30 years ago have been recently resold to colored for \$9,000 and more. Houses that were patched up to look completely renovated but that very shortly will need new roofs, new porches, new plumbing, and many other expensive repairs.

2. By encouraging a colored man to locate in a block solidly inhabited by white and then alarming the rest of the white inhabitants by telling them the whole block is going colored and that they had better sell while the prices are high. The white residents are becoming irritated, cussing the Negro because of this unscrupulous promotion, when, in fact, the trouble lies with the unethical real-estate man, and we mean unethical real-estate man—for not one known real-estate man who is a member of the Real Estate Board is taking advantage of the colored man by selling houses to him in our community at unfair prices.

(We are glad, however, to report that there are a number of real-estate dealers, not members of the board, who have not exploited the colored man, and have told us that they have no intention of operating in our community as long as such transaction would create any ill will among the races.)

3. By moving these colored people into these homes under the cover of darkness and destroying self-respect, they would have if they wait a very little while longer when a more propitious time comes for the whites to turn over this neighborhood through ethical real-estate men who will bring them in by the front door in broad daylight with the full sanction of their white fellow citizens.

4. By causing us to have to conduct court litigation to hold our homes. This we regret, for this move is not against the colored man, but is our only valid defense against this unethical, antisocial promotion of which both races are victims.

There are a number of elderly couples who have owned houses in Park View for many years, as well as many mothers and wives of servicemen who are overseas. When your sons and husbands and brothers and sisters—and our sons and husbands and brothers and sisters—settle this conflict of wrong thinking overseas and our families can return to normal conditions, the community development for the colored man can be made without cheating the Negroes and without unnecessary racial antagonism.



Now, as at no other time, let us reasonable-thinking people bind ourselves together against those who would interfere with our progress and our economic welfare. It is not the race to which we belong that counts—but the important thing is how we conduct ourselves.

Sincerely,

A. WALTER COLLIER.

This abuse is going on throughout the city. I receive many reports every day. These Negroes are willing to pay \$2,000 or \$3,000 in excess of the market value of the property in order to carry out their scheme to drive the white people from the white sections of Washington so that they may take possession of them. I know of no way for those people to get any relief except by taking the proposition into their own hands and giving the matter their personal attention.

Mr. President, we have already voted to support a university which is teaching the Negroes of the country that the white man descended from the Negro. Now we are face to face with voting for a proposal to permit an organization which is not practicing what it is preaching to go into every business establishment and industry in America and say who is to be employed and who is to be dismissed. It is even going into the unions themselves. This is only the beginning of this character of legislation. This is only the entering wedge. Behind it all is the drive of A. Philip Randolph to force social equality, to force the intermingling of the races, and do away with segregation in Washington and throughout the entire Nation. I am sure the good people of Washington are not in favor of doing away with segregation, because they are opposed to having white children and black children attend the same schools, and having the white children taught by Negro teachers, as is done in Pennsylvania. I know the people of Washington do not want that. The people of Washington have always stood for the dual system of public schools, and I think they will continue to stand for it. I do not believe that the public wish to see their hotels, restaurants, and cafes shared by whites and Negroes. The poor white girls in the departments, who must work for a living, are compelled to use the same toilet facilities, the same cafeterias, and the same dining rooms with Negroes. They cannot help themselves. The only way out is for them to make their department white or to catch a train and go home.

This situation cannot continue. There will be an end to such conditions in Washington. There will be an end to unscrupulous Negro real-estate agents, with some influence behind them, trying to break up white sections in the District of Columbia. The people are not going to stand for this kind of "monkey business" always. They cannot be blamed.

The Committee which we are asked to support is a great political asset. I was amused at the Senator from New York yesterday when I asked him to explain why it is, if the Committee is to do away with discrimination, that, with 12,800,000 Negroes in the United States out of

a population of 134,000,000, in the personnel of this organization there are 113 employees, about 80 percent of them Negroes, and the remainder whites. He explained it by saying that so many cases of complaints were arising because of discrimination against the Negro that Negroes were employed to make the investigations. Then he was quietly reminded that the next largest list of complaints related to discriminations against the Jews. Upon examination I find that there is not a Jew in the whole list of 113 employees. This is the only Government organization with which I am familiar which has no Jews in its personnel.

I found my good old friend, Rabbi Wise, trying to persuade the House to perpetuate this damnable Committee. He was pleading for its permanent establishment to protect minority races. Rabbi Wise is the last man in the world who should complain about discrimination against minority races under the Roosevelt administration. Mr. Morgenthau operates the financial part of the Government. A very splendid Jew from New York, Barney Baruch, is shaping all the policies of the administration, especially the post-war policies. Jimmy Byrnes was appointed Director of War Mobilization, and yet he sends for Barney Baruch to come down and fix things up. A Committee on Post-war Planning was created in the House. It sends to New York for Barney Baruch to come down and tell it what to do. He is running the show. We are now being urged to enact legislation which he has fathered and suggested.

When it comes to the departments, there is no lack of the Jewish nationality in the departments. I think Rabbi Wise is the last man in the world who ought to be complaining against discrimination against minority races, when his nationality has received more consideration at the hands of the present administration than any other nationality in the United States.

Many persons fail to distinguish between division of races and division of nationalities. The Pole, the Jew, the Italian, and the German all belong to the white race. The Negro belongs to the black race, and the Chinese and Japanese belong to the Mongolian race.

I do not think I shall ever make another speech on the floor of the Senate without closing with the statement that there is only one way to save the country from disturbing influences, disunity, and mob violence such as that to which I referred in New York, which resulted from the coddling of the Negro in New York by Mayor LaGuardia and the politicians, who have led the Negro to believe that D-day for the Negro in New York has arrived, and that he is coming into his own. The only solution is to follow the suggestion, the wish, and the prayer of 2½ million Negroes whose names and addresses I have in my office, asking Congress to provide a way for their resettlement in their fatherland, West Africa. That is the only permanent solution. So long as we continue the present arrangement, and so long as the Negro is a po-

litical factor, we shall continue to have bloodshed, riots, race troubles, and other disturbances, and we shall have this kind of damn-fool legislation. The only solution to all of it is to give the Negroes an opportunity to be resettled in the richest country on earth.

The other day I noticed that my good friend Mrs. Roosevelt took a shot at my proposal—not by name—but indirectly. She said she did not understand how these things could be done. In other words, she is opposed to the plan. We are continually passing resolutions looking to the creation of a home for the Jews in Palestine.

I do not claim any credit for the campaign to resettle the Negroes in West Africa. President Monroe started it, Jefferson encouraged it, Madison and Abraham Lincoln and President Grant were for it. When 2½ million persons—Negroes—request the Congress to give them that relief, that opportunity, and that break, I do not see why Mrs. Roosevelt or anyone else should object to it. Of course, she did not understand my ultimate plan. If I can succeed eventually in resettling the great majority of the Negroes in West Africa—and I propose to do it—I might entertain the proposition of crowning Eleanor queen of Greater Liberia.

The PRESIDING OFFICER (Mr. WILLIS in the chair). The question is on agreeing to the amendment of the Senator from Georgia [Mr. RUSSELL], striking out, on page 10, lines 3 to 16, as amended.

Mr. GEORGE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Robertson
Barkley	Hill	Russell
Bilbo	Holman	Shipstead
Brewster	Johnson, Calif.	Stewart
Burton	Johnson, Colo.	Taft
Bushfield	Kilgore	Thomas, Okla.
Butler	Lucas	Thomas, Utah
Byrd	McClellan	Tunnell
Capper	McFarland	Tydings
Chavez	McKellar	Vandenberg
Connally	Maloney	Wagner
Cordon	Maybank	Wallgren
Danaher	Mead	Walsh, Mass.
Davis	Millikin	Walsh, N. J.
Eastland	Murdock	Weeks
Ellender	Murray	Wheeler
Ferguson	O'Mahoney	Wherry
George	Overton	White
Gerry	Pepper	Willis
Gillette	Radcliffe	

The PRESIDING OFFICER. Sixty-five Senators having answered to their names, a quorum is present.

Mr. GEORGE. Mr. President, the debate with reference to the amendment to strike from the pending appropriation bill the item for the support of the Fair Practice Committee—a term which I shall use for the sake of brevity—has been exhaustive. In a comprehensible speech my colleague the junior Senator from Georgia [Mr. RUSSELL] covered the ground and the arguments in this matter in a very forceful and effective manner. So, from the standpoint of the presentation of facts, the issue has been very

clearly presented to the Senate. Other Senators have discussed the issue, and have added much by way of information to the arguments which have been submitted against the amendment.

With all due respect to those who oppose the amendment, I wish to say that the creation of this committee, or its continuation, is as wholly inexcusable as any piece of legislation could be. It is true that we are asked to appropriate only \$500,000—a half million dollars—in order to continue the agency in existence for another year. Five hundred thousand dollars is not a large sum, but it seems to me that we have arrived at a time when every Member of this body should feel bound to ask himself whether he is justified in throwing away a half million dollars. At the very best it would be a waste of public moneys, because the Committee has done no good and will accomplish no good. It has created disturbances. We know that it is in existence, but its actual constructive contribution to the peace, happiness, and welfare of the people of this country is negligible. No one can put his hand upon any of the Committee's work and say that it has been a constructive contribution, either to the war effort or to the peace effort of the American people.

Mr. President, allow me to preface what I am about to say with the broad statement that I should be entirely ashamed of myself if I were willing to deny to any man, whether he be white or black, or of any national origin, full, fair, and equal compensation for work similarly performed. I should also be ashamed of myself if I were willing to deny to a woman equal compensation for equal and similar work done by her. In other words, I do not think there can be or should be any discrimination in the employment, or in the compensation, of men because of their race, creed, condition, or previous condition. The question is solely one of the competency of the workman. That statement applies as between men and women who are in competitive enterprise, and who are seeking employment anywhere within this Government, or anywhere within our society.

Allow me to ask this question: Do the conditions to which I have referred represent the objectives of this Committee? Was it organized for the purpose of procuring equal pay for the same work performed, without regard to race, color, or creed? That is the ostensible statement of the purposes of the Committee. Is it true? During the debate Senators heard statements made by those who fathered the Committee, those who promoted it, and those who fostered it. Those statements clearly showed that a far different purpose was involved in the establishment of the Committee.

During the past several years a number of somewhat similar legislative proposals have been made in this body. There were antilynching bills and anti-poll-tax bills. We have seen the Fair Practice Committee brought into existence by Executive order. Has the relationship between the Negro and his white fellow citizens in America improved during the past 10 years? Has

it improved in the last 5 years? Where is there an honest man who can say on his conscience that racial relationships have improved as the result of the repeated effort here to legislate on different phases of the relationships existing between the Negro or other minorities and the white people of this country?

We have heard a great deal about the good-neighbor policy. I think the good-neighbor policy, properly interpreted, has been a great achievement of the present Secretary of State and of the President of the United States, but it would be a blessing if the good-neighbor policy could be translated and applied within these United States so as to establish the right relationship between business and Government and between all classes of our society.

Within the last 5 or 10 years a deeper schism has been driven into American life than during any comparable period in the history of this Republic. Deeper racial prejudices, deeper class prejudices, wider divisions of our people into classes have taken place before our eyes day by day, week by week, and month by month. There is no more certain way to destroy this Republic, there is no more certain way to destroy free government than to divide the American people into classes.

Has such a process been going on? Mr. President, you know and I know that it has. It is easy enough to say that it has not been going on, but it has been. It is not necessary to discuss the motive or the reason why it has been going on. There are in America today class divisions deeper than they have ever been before. Are we contributing anything to the permanency of this Republic or to American civilization by such a course as that? The legalization of the Fair Practice Committee is on a level with various other interferences with race and class relationships that have occurred in this body during the last several years. Either we will call a halt to that movement, or we will register the rapid downfall of free government in America.

I do not need to discuss with the Senate or in its hearing what has happened in every other country of the globe within the last 10 or 15 years; that is, any country that laid any claim to anything like free government. In every one of them there can be noted the division of the people into classes; in every one of them there can be found the separation of the people into classes and groups, whether racial minorities or what not. There has been the same effort to divide into classes free peoples or those people struggling for freedom. Hitler is not the only man who has preached the doctrine of divide and conquer and destroy. Free government in America can be destroyed by dividing the people into classes. Not only can it be done, but we have made great progress toward the destruction of the homogeneity of the people of this country, which has meant so much for our liberty.

Has any antilynching bill, has any anti-poll-tax bill, has any fair-employment-practice bill promoted better race relationships in this country? To ask the question is to answer it. We can give away the \$500,000, throw away half a

million dollars to continue a group of people in a useless office. But that is not half the story and it is not the bad part of the story.

Oh, it may be said, this Committee has not occasioned any trouble. It has not occasioned any trouble? When this Committee announced its purpose to open offices in Georgia, in the city of Atlanta, the mayor and council of that great city solemnly petitioned the President of the United States not to permit them to come there. Do you think, Mr. President, that the people of the city of Atlanta did not know what they were doing? Do you think there was not a reason for that official act? Are we going to set ourselves up here and say we know what is better for the people of Denver, of Atlanta, or St. Louis, or any other American city than the people of those cities know? If the American Congress does not cease the pernicious meddling into local and racial problems, a meddling that never can accomplish any good, there will be created far worse race relationships than now exist.

I am telling the Senate the truth, Mr. President. I am saying that the members of this Fair Practice Committee who have haunted these galleries like vultures to watch our action and to compel our votes to give them a half million dollars of money of the American taxpayer, have done nothing to promote better relations between the whites and the black people. Let me repeat, I would be ashamed of myself as an American citizen and as a Member of this body if I did not positively favor the payment of equal wages and salaries for equal work by whites and blacks alike, by men and women alike. But the Fair Practice Committee is not going to bring that about, and that is not its main purpose. Its main purpose is to attempt to establish something like social and economic equality.

Why do they tear down the partitions between lavatories, equal facilities for the whites and the blacks? Why do they remove partitions in the restaurants and cafes in every Government office and place of business in the country? Why, if the economic equality of the races is at stake, is that done?

The very fact that the Committee is more concerned about partitions in lavatories and facilities, forcing white men and white women and Negro men and Negro women to eat together shows that it is not the desire to obtain fair compensation for the Negroes for the same kind, quality, and character of work that is the primary motive and purpose of this Fair Practice Committee.

Mr. President, I am trying to state the facts as they are, and not theory. Think of responsible officials of a great city in the South, a city whose leaders have tried to promote proper relations between the Negroes and the whites, and have done fairly well with the job over a long period of time, who are experienced in handling the problems we have to face and have to handle, solemnly petitioning an agency of this Government and the President of the United States not to establish an office in the city of Atlanta.



Those are facts. They cannot be argued away, they cannot be rubbed out. And what happens? The Committee employs its great ability, its energies, in removing partitions between the facilities already erected for the accommodation and use of the whites and blacks alike.

If anyone desires to go to the trouble of examining some things which are going on now in America among the maritime laborers, among the crews on our merchant vessels, I think he would understand a little better what this proposal means. There must not be separate quarters in the ship, but all minorities and all races must live together in the ship. The ship is the home of the merchant seaman, it is where he eats, it is where he sleeps. It is his home as he sails the high seas. Yet the Fair Practice Committee stands guard above the ship, the home of the merchant seamen of America, and says, "You must sleep together in bunks one above the other. You cannot occupy separate quarters in your own home."

Will anyone tell me that is done for the economic betterment and improvement of the Negro race? There may be a political motive, but there is not behind it any real desire to obtain equal compensation for equal work, not at all. That is not the driving force back of it.

I do not know how long I shall remain a Member of the Senate; I have grown old in public service; but I say now to gentlemen on the other side of the aisle, that they will never advance the cause of America by lending their sympathy or their votes to anything that drives a wedge between groups of American citizens, or anything which attempts to regulate the intimate affairs of people in communities far removed from Washington.

Oh, but it is said the Fair Practice Committee is limited to activities within governmental agencies. Yes; under the Executive order, in a general way; but the Committee has been quick to declare its purpose to extend its jurisdiction into private enterprise. We do not have to resort to conjecture; we do not have to resort to speculation, to find out what the meaning back of the Fair Practice Committee and of this effort to retain it is. If we go over to the other House, we find bills there now to create it as a permanent agency. The distinguished junior Senator from Connecticut [Mr. DANAHY], a Senator whose character and ability I hold in the highest esteem, left nothing to conjecture, nothing to supposition, nothing to speculation. When the pending amendment was first taken up for consideration, he offered here an amendment to put the Fair Practice Committee on a permanent basis.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. HOLMAN. A few minutes ago the distinguished Senator addressed his remarks to Members of the Senate on this side of the aisle. As one of the Senators on this side of the aisle I am very much

in sympathy with the viewpoint the Senator is taking, but I do wish to remonstrate, and to say that the genesis of all this racial and class distinction originates in the White House, not on this side of the aisle.

Mr. GEORGE. I appreciate the Senator's personal attitude. I did not mean to exonerate this side of the aisle at all. With profound regret I am obliged to confess that many of these matters to which I have adverted had their origin on the Democratic side of the Chamber.

I was saying that we do not have to resort to speculation; we do not have to go to conjecture. One of the leading Members of the Senate offered an amendment—now happily withdrawn, but only temporarily withdrawn—to make permanent the Fair Practice Committee. What did he propose to do? I am not criticizing the Senator from Connecticut. I am merely saying that that is precisely the ultimate purpose back of the particular proposal now pending. He proposed to extend the jurisdiction of the Fair Practice Committee to every labor union which has five members, and to every employer engaged in interstate or foreign commerce, and under the elastic definition of the Supreme Court of the United States at this hour, that means everybody who is doing anything.

Did not the Supreme Court hold that the farmer in his field was engaged in interstate commerce if he was producing, not something to be shipped outside his State but something to be consumed within his State, because the consumption of the supply of the commodity or product within his State took something away from the general supply of that product in the United States?

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. McCLELLAN. Since the able Senator has referred to the amendment which, when the pending bill was first taken up, the Senator from Connecticut announced he intended to offer, which would make this Committee a permanent agency, that amendment being the bill now pending in the House of Representatives, I call the Senator's attention to section 2 of that amendment. According to my interpretation—and I wonder if the interpretation of section 2 by the Senator from Georgia is the same as mine—if it were adopted and should become law we would have the Fair Employment Practice Committee set up permanently and it would have jurisdiction over the States of the Nation to tell them whom they should employ, whom they should promote, and whom they should discharge. My interpretation is that it would extend the jurisdiction that far. I ask the Senator from Georgia if that is not his interpretation of section 2 of the proposed amendment?

Mr. GEORGE. I am inclined to think that in certain instances at least it would be extended to a political subdivision, whether a State or a city, but I was not referring to that proposal for the purpose of discussing its merits or demerits. I was referring to it as positive proof of the

ultimate purpose of those who favor the appropriation to continue the Fair Practice Committee, because already legislation has been offered to convert the Fair Practice Committee into a permanent agency of the Government.

Mr. REED. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. REED. I interrupt the distinguished Senator from Georgia, for whom I have a profound admiration, only for the purpose of keeping the record straight. I may remind the Senator from Georgia that the Supreme Court decision to which he referred not only held that goods consumed within the State went into interstate commerce, but that opinion went so far as to apply that finding to goods and agricultural commodities consumed on the farm where they were raised.

Mr. GEORGE. The Senator from Kansas is quite right. That was on the theory that they subtracted somewhat from the total supply, and did affect perhaps the flow of the product across State lines.

Mr. REED. And I may remind the Senator from Georgia that the Supreme Court which so held is a court, seven members of which belong to the party of the distinguished Senator from Georgia, and were named by the present occupant of the White House.

Mr. GEORGE. I believe the statement to be historically true, but I hold no brief for the Supreme Court as now constituted. I am saying very frankly that the ultimate purpose of those who drive to make the Fair Practice Committee a permanent agency of government is disclosed by the very legislation which they are offering in both Houses of the Congress at this time, and that purpose, unquestionably, as disclosed by the language which they have employed, is to give the Fair Practice Committee jurisdiction over every employer who engages and uses the services of five persons in any enterprise within any State in the Union, under the construction given to interstate commerce by the Supreme Court of the United States.

Mr. REED. Mr. President, will the Senator from Georgia permit me to interrupt him again?

Mr. GEORGE. Yes; I am glad to yield.

Mr. REED. I may say to the Senator from Georgia that if the doctrine laid down by the Supreme Court is followed to its logical and ultimate conclusion, it will destroy every possible distinction between State and interstate commerce in this country, and result in absolute destruction of every form of local government.

Mr. GEORGE. I do not think there is any question about that; I have never been in disagreement with the distinguished Senator from Kansas on that point.

Mr. President, I do not want to repeat, and I do not want to delay the Senate unduly on this vote. So far as I know the Fair Practice Committee has not promoted better relations between whites and blacks anywhere in this country.

The Fair Practice Committee has not confined itself nor has it directed its energies to the equalization of compensation for like work in point of quantity and quality by members of the different races or by minorities. I know that the agitation here and the things which have been said here have not promoted better feeling and harmony in the country. I know that they have done nothing to make us a better and stronger America. I know, Mr. President, that they will not.

But now I come to what I believe to be the most important part of this discussion. The motivating force back of the Fair Employment Practice Committee, of those who want to create it, of those who want to make it permanent, of those who want to use it, is to do what? It is to take one more important step toward the control of private industry, private business, big or little, in the United States.

What is ownership of business? Ownership of business consists of the exercise of certain rights and powers over business. What is ownership of property? It consists primarily of certain rights and power over the property, the power to handle it, the power to dispose of it, the power to control it. What do the bills which have been introduced to make the Fair Practice Committee permanent propose to do? They propose to say, not merely to the Government, not merely to Federal agencies, but in the field of private business that the employer cannot say whom he shall employ, whom he shall promote, or how long he wants the employee to work for him. What is that but communism? What is that but a long step toward communism, at least the stripping of the private owner of the elemental rights over his own property and over his own business? That is the serious aspect of this proposal. And some of the organizations back of the Fair Practice Committee are not at all disturbed or confused. They know precisely where they want to go and how to get there.

Mr. President, if the Fair Practice Committee should regulate the hiring and firing of people in Government agencies that would be a different story. If the business which they propose to regulate was a business affected with a public interest, that might be another story; but the legislative proposals to make it permanent do not distinguish between business affected with a public interest and purely private business, such as the operation of a small business college, the operation of a local telephone exchange, or even the operations of a farm where the farmer employs more than five persons. Everything is included. The ultimate aim and the driving power behind the Fair Practice Committee is to strip owners of private rights in private property, and to convert the present economic system into a communistic or national socialistic system.

Mr. President, I am not trying to use nice language or pleasing words. I am trying to tell the truth. We have made great progress in the past few years toward national socialism or communism. This provision would be a major step toward the destruction of our present system of economy, a step toward the denial

of the rights of property in the private holdings of the American citizen.

Many persons in this country believe that this proposal, if supported, will gain many votes in the November election. Perhaps it will. I would not say that it would not result in gaining votes in the November election; but I will say that it will not get many votes in the elections in 1946 or 1948, or thereafter, if America abandons the strong downward drift toward national socialism. I believe that the American people will abandon it. Mark my words.

The poor colored man, who is loved and respected by decent white men in the South, has been made a political football before. He has been promised many things before and he has received only crusts of bread. He can be made a political football again, and perhaps the proposal now before the Senate will get votes. Perhaps Members of Congress who vote to continue the Fair Practice Committee will add to the votes which they will receive in November; but it will not be for long, because the little American businessman, the little man who operates a small shop, the little man who operates a farm, the little man who has his herd of cattle on the western plains, every little merchant, every little manufacturer, every little miner, and the owner of every little private enterprise will have a fair practice committee, made up of God only knows whom, saying to him, "You cannot hire that man; you must employ this man. You cannot promote that man. You must promote the other man, because he belongs to a minority."

What is the essence of freedom in America? Under the American system of government, under the concept of our Constitution, and under the living language in the old Declaration of Independence, every man is the center of a circle in which he is supreme, so long as that circle does not infringe upon the like rights, privileges, powers, and prerogatives of his fellow citizens. In these latter days it is proposed to say, "Oh, no; you are not supreme with regard to your own little business. You may not hire and fire in your private business, in your store, or your meat market, if you employ five persons or more." Next year it will be three persons, two persons, or perhaps even one. We say to the little businessman, "You may not hire or fire. You may not control your own business enterprise. The Fair Practice Committee will tell you whom you may hire and whom you may fire, what you may do with your own business, and how to manage and conduct it." That is denying the right of private property by taking away one of the elemental attributes of ownership of property.

There will be some who will say that southern Democrats—the term "southern Democrats" has become an odious term in many places and to many persons—ought not to be making such speeches as we have been making with regard to the Fair Practice Committee. Mr. President, the time has come when we in the South, who have had long, bitter, and painful experience in trying to solve our own problems, must insist upon

the right to say, when it is proposed that the Federal Government invade a field which it ought never to attempt to invade, "That is going too far. We will be critical of it, and we will stubbornly resist it."

It is not the purpose of the Committee on Fair Employment Practice to see to it that a colored man in Georgia who receives \$5 for the same job for which a white man is paid \$10 is protected. Not at all. That is not it. If that is the purpose, why is it necessary to have a staff of carpenters to tear out the partitions which we, as a result of our painful experience, have found to be conducive to better and more stable relations between the races?

If the Senate were to say to the Committee on Fair Employment Practice, "This day we will vote not to continue an organization the avowed and announced purpose of which is to extend its intermeddling into the private business of the citizens, into business that never has been thought of as being affected with a public interest, but which is purely private," the Senate would render the Nation a great service.

I love my country. I would give my life for it. But this country cannot survive if the class hatreds, class distinctions, and class divisions which have made such remarkable progress in the past several years are hurried along to their final conclusion. Remember this: Long after I have left this desk, if America lives, it will because we will not be afraid of any organization but will be willing to stand up and be counted against any proposal to do what this proposal is ultimately intended to do, to wit, communize America by taking away the elemental, primary rights of owners in the management and control of their private property, and vesting that authority in a Federal bureau in Washington. When Senators return home the businessmen in their States are not going to think they have done a very remarkable job by voting for this proposal. Do not think so for a moment. I have already conceded that it may affect the results in the November election. But the businessmen, from the farmers and merchants and sawmill operators and turpentine producers all the way up through the processors, large and small, are going to understand what this thing means. They know how far management has been liquidated and how far private control over business has been taken away. They know who is responsible. It will not get anyone any votes after the November election.

Do Senators wish to liquidate management wholly? Do they wish to liquidate the private owner wholly? Do they wish to say to him, "I do not care what you think about it. We say whom you must hire, whom you must fire, and whom you must promote."

Do not let anyone argue with you that, "the bill does not go that far, and none of the proposals go that far." They do go just that far. Whenever a Federal instrumentality can say that an employer cannot refuse a certain man a job, they necessarily say that another man cannot have the job. If they say the employer



cannot refuse promotion for a certain group, they necessarily say that the other group cannot have the promotion.

Treat the Negro right. Give him equal pay for equal work. Give the women equal pay for equal work. Do that in a proper way. Do not now take a long step in the liquidation of private property, in the liquidation of our economy, by saying that we will through Government exercise the right and power to say who shall be employed in private business.

#### COMPENSATION FOR USEFUL SUGGESTIONS OR INVENTIONS BY INTERIOR DEPARTMENT PERSONNEL

The PRESIDING OFFICER (Mr. WILLIS in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1232) to provide equitable compensation for useful suggestions or inventions by personnel of the Department of the Interior, which was, on page 2, line 8, after "public," to insert "Nothing in this act shall be taken or construed as amending or modifying the present patent and trade-mark laws as they now exist or may hereafter be amended."

Mr. HATCH. Mr. President, in explanation I may briefly say that the House amendment provides that nothing in the Senate bill shall be construed as repealing or modifying the patent or trade-mark laws. Nothing is contained in the bill which would do anything of that nature. Therefore, the House amendment would not change or affect the purpose or the meaning of the Senate bill. It would do no good and it would do no harm.

Mr. WHITE. Mr. President, the Senator from New Mexico was good enough to speak to me about the amendment, and I can see no objection to it.

Mr. HATCH. Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

#### APPROPRIATIONS FOR WAR AGENCIES

The Senate resumed the consideration of the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Georgia (Mr. RUSSELL), to strike out, on page 10, the paragraph relating to the F. E. P. C., being lines 3 to 16 of the bill, as amended.

Mr. HILL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Chavez	Guffey
Bail	Connally	Gurney
Bankhead	Cordon	Hatch
Barkley	Danaher	Hill
Bilbo	Davis	Holman
Brewster	Eastland	Johnson, Colo.
Burton	Ellender	Kilgore
Bushfield	Ferguson	Lucas
Butler	George	McClellan
Byrd	Gerry	McFarland
Capper	Gillette	McKellar

Maloney	Revercomb	Wagner
Maybank	Robertson	Wallgren
Mead	Russell	Walsh, Mass.
Millikin	Shipstead	Walsh, N. J.
Murdock	Stewart	Weeks
Murray	Taft	Wheeler
O'Mahoney	Thomas, Okla.	Wherry
Overton	Thomas, Utah	White
Pepper	Tunnell	Willis
Radcliffe	Tydings	
Reed	Vandenberg	

The PRESIDING OFFICER. Sixty-four Senators having answered to their names, a quorum is present.

Mr. LUCAS. Mr. President, yesterday Hon. Edward J. Kelly, mayor of the city of Chicago, proclaimed June 25, 1944, as F. E. P. C. Day in that great metropolitan center.

Among other things, the proclamation called upon management and labor in all segments of the population to strive, out of respect to the members of the American fighting forces, to establish in factories and other places of business the principle of equality of opportunity to all races and creeds.

Mr. President, I concur in the noble sentiments expressed by the mayor of Chicago in his forthright proclamation. I submit that during a period when manpower bottlenecks are constantly impeding the war effort job discrimination is indefensible. The Senator from Illinois maintains that if industry is interested in finding the right men for the right jobs there must exist an equal opportunity for all, regardless of race, creed, color, or national origin.

In conclusion, I may say that at no time in the history of America has it been so necessary to carry on the fight for the principles to which I have referred as it is at this very moment while we battle the totalitarian forces around the world.

Mr. McCLELLAN. Mr. President, I have debated in my own mind the advisability of making any remarks regarding the pending amendment. Practically all phases of the issue raised by the proposed legislation have been substantially covered in very able addresses made by other Members of this body. Certainly, if the very forceful presentation made in the able addresses of the Senators from Georgia and in the addresses of other Senators who have spoken is not persuasive and cannot influence the Members of this body, I could neither hope nor expect by anything I might say to cause any Senator to change his opinion regarding this proposed legislation. But, Mr. President, I am unwilling to remain silent and let the permanent records of this body show that, in an hour of danger to my country and to its Government and to every liberty guaranteed to the citizenship of this Nation and to the individual under the Constitution, I failed to rise and express myself in protest against legislation of this character.

Mr. President, it is not necessary to reiterate the discussion that has been had here regarding the practices of this Committee and the procedures it has pursued in the past as disclosed by the hearings; but I think someone ought to name this Committee for what it is.

In the Executive order creating it, it is called a Fair Employment Practice Committee. That is a misnomer. It ought to be called the "Unfair Employment Practice Committee." I say that on its record. Whatever was intended to be accomplished by the creation of the thing in the beginning I do not know; but certainly the record of its conduct discloses the most flagrant example of race discrimination this Nation has ever witnessed. The very instrumentality that is given the name of being "fair" proceeds in the selection of its own personnel in a more discriminatory manner than any other agency of the Government, so far as I know, and more discriminatory than the the industries and businesses it expects to reform.

The statements I have heard made in justification of the action of this Committee in employing a far greater number of Negroes than whites to conduct its affairs, namely that it is because it gets most of its complaints from the Negroes is very significant to me.

Mr. President, every complaint that comes from the Negro is also a complaint against a white man. Yet their conception of being fair is to load the Committee and all of its divisions and its regional offices throughout the Nation with more colored employees than white employees, notwithstanding that the Negro population of the Nation is only about 10 percent of the total population.

Mr. President, let no one ever again refer to this Committee as fair. It is not fair; it is prejudiced. It is not useful; it is a public nuisance. It has no asset or value; it is a public liability to race relationships and unity here at home.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield to the Senator from Mississippi.

Mr. EASTLAND. The Senator referred to the discrimination against the white race by the F. E. P. C. Is it not a fact that in all the Government departments in the city of Washington the white race is discriminated against and that we have in fact today a Government of minority groups, who control this country, who control both major political parties, and who are trying to destroy our system of government and to communize the United States?

Mr. McCLELLAN. In answer to the able Senator from Mississippi, I would say that a good many of us are reluctantly coming to that conclusion.

Mr. EASTLAND. In other words, a white person, a member of the Caucasian race is today discriminated against, imposed on, and humiliated in the Government departments in the city of Washington.

Mr. McCLELLAN. Mr. President, I am not familiar with the personnel of all the governmental agencies, but I do say that when in any governmental agency white women and Negro women are compelled to sit side by side, to use the same toilet facilities, to use the same accommodations, and are compelled to such association even to the extent of eating at

the same table, it is an encroachment upon the constitutional liberty of both the races when they desire or when either desires to be segregated.

Mr. EASTLAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Does the Senator from Arkansas yield further to the Senator from Mississippi?

Mr. McCLELLAN. I yield.

Mr. EASTLAND. The conditions the distinguished Senator from Arkansas mentions of course are obnoxious to white people, but is it not much worse that white girls should be forced to work and take dictation from a group of burr-headed Negroes and Negro supervisors in the departments?

Mr. McCLELLAN. It would be exceedingly bad if my daughter were requested to do it, but I do not think she will ever have to.

Mr. President, after all, personal liberty if it has any meaning at all, gives a man the right of choice—the choice of association, the choice of affiliation in organizations, the choice of places to work, the choice of political opinions and convictions. Liberty grants the choice to pursue happiness according to the dictates of conscience.

Yesterday when I heard an able Senator, in discussing this matter, refer to the Declaration of Independence, to the unalienable rights guaranteed to the individual, to the right of life, liberty, and the pursuit of happiness, I could not help wondering, since when was it not the right for the individual citizen in a government of free men to make a choice of who his associates shall be, or since when has it ceased to be an unalienable right of American employers to choose who shall work for him, who is entitled to promotion, who is worth what he pays for the services rendered to him?

Mr. President, in these unalienable rights there are reciprocal benefits and reciprocal privileges. The right to work, the right to seek work, the right to contract for wages, and the right to strive for merited promotion, are among the unalienable rights referred to in the Declaration of Independence. But there is also involved and embraced the right and privilege of the other party to make a decision as to whom he shall employ, what the services are worth, and when the employee is entitled to promotion.

It was stated here yesterday by the able Senator from New York that we should be consistent as we vote on this proposal. He pointed out that Congress has approved other agencies created by Executive order, and has made appropriations to finance the carrying on of their duties. I intend to remain consistent, and I desire to call the attention of my colleagues now to the fact that if they intend to remain consistent, if they intend to vote for the pending appropriation and expect to remain consistent, then in a few days, or at some date not far in the future, we are going to be asked to consider one of these bills, particularly House bill 3986, which the Senator from Connecticut a few days ago

gave notice he intended to offer as an amendment to the pending bill.

Mr. President, the able Senator from Georgia, who preceded me, pointed out that such permanent legislation was going to be sought. Those who vote for this appropriation in my judgment place themselves under a measure of obligation to consider favorably and to vote for permanent legislation of this character.

It is definitely shown by the hearings, by the testimony of the Chairman, and of members of the Committee now under discussion, that it is their intent to carry this authority far beyond anything connected with the war effort. They do not intend that this operation shall be only temporary. The objective is not merely to aid the war effort. That is not what is involved here, and I say, Mr. President, there has not been enough trouble in the way of discrimination in the Nation anywhere in the war effort, because of the shortage of manpower, to justify the existence of any such agency, and there will not be in the future.

Let us see if we are to go all the way with this proposal. I intend to remain consistent. I shall vote against the proposal now, tomorrow, and every other time this measure or any other bill comes before the Senate which in my judgment is unconstitutional. But waving that aside, assuming it to be constitutional, any bill which I think seeks to destroy the liberty to which every man is entitled I shall oppose.

I am not particularly concerned about business, any more than I am concerned about the laboring man or about the farmer, but I do want the farmer to have the right to employ whom he desires to employ, I want the businessman to have the right to employ whom he wishes to employ. I want him to retain the right of judgment and decision as to who merits promotion. Do Senators desire to surrender that right? Are they ready today to abolish that right and let this agency, or any other agency so constituted and having like authority, whether by Presidential order or directive, or through permanent legislation, say to them as United States Senators what the color of their employees shall be, which one they will make their secretary, which one shall be a clerk? Are you ready to go that far? Do you want this Committee to tell you, Mr. Senator, you must employ a Negro secretary? Are Senators ready to have the Federal Government say to their States, and to the taxpayers of their States, "As you tax your people and as you collect the money, we set up an agency in Washington, D. C., to tell you whom you shall employ in your State government to administer the business of State government"?

While the able Senator from Georgia was discussing this matter, I asked for his interpretation of section 2 of House bill 3986, which is intended to be made permanent legislation if its enactment can be brought about. I wish to call attention to this, not that it is the pending measure, but it casts a shadow of approaching events. It is an indication to us, it is a warning to everyone as we

vote on the proposed appropriation, as to what is yet to come.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MAYBANK. Has the Senator had an opportunity to read the section referring to Government employees in the Territories, in the agencies connected with the Federal Government?

Mr. McCLELLAN. I have read the bill, and I shall read the section to which the Senator from South Carolina refers.

Mr. MAYBANK. I should like to have the Senator's comment on that section.

Mr. McCLELLAN. I shall show what the effects of the proposed legislation would be. Of course, it is said, "We are not considering it now. We can amend it and revise it." Of course we can, but the safest thing to do is to act now. If we kill this appropriation, we will not have to deal with permanent legislation on this subject. We can end the matter now.

Let me point out what is proposed. First I shall read section 1:

The Congress finds—

Are Senators ready to make a finding; are they ready to sit in judgment?

The Congress finds that the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry, foment domestic strife and unrest deprives the United States of the fullest utilization of its capacities for production and defense, and burdens, hinders, and obstructs commerce.

Are we ready to make that decision here and now? As has been ably stated by the senior Senator from Georgia today, whenever a measure is introduced which undertakes to deal with this problem it causes greater dissension, greater unrest, and greater disturbance between the races. Such legislation serves to agitate and breed race troubles. If this matter was left alone, if our people were allowed to have their liberty and to exercise it, we would not have the tenseness which today exists over the racial question. The question will solve itself if left alone. The intelligent peoples of both races will be able to work to a solution.

Let me remind Senators that when an effort is made to inject into the discussion of racial problems or into proposed legislation the issue which some are now trying to inject, when an effort is made to legislate so as to compel—and that is what they are leading to and this is the beginning of the drive to compel the intermingling of the races, to compel amalgamation of the races, you are going to destroy something mighty fine in this country, and the day will come when you will regret the action. I do not think, however, it is going to happen. I think Americans will wake up in time, and when we get past this approaching campaign in which some few individuals hope to gain political advantage by reason of this sort of legislation, I think we will take a more sober view of the question, and that our better judgment will prevail.



Mr. President, I read further from the bill that is intended to make the committee a permanent one by legislation. I read from House bill 3986:

It is hereby declared to be the policy of the United States to eliminate such discrimination in all employment relations which fall within the jurisdiction or control of the Federal Government as hereinafter set forth.

And it is set forth a plenty. Listen to section 2. The section does not miss anyone except an employer who employs less than five individuals. It covers the whole field. I read section 2:

Sec. 2. The right to work and to seek work without discrimination because of race, creed, color, national origin, or ancestry is declared to be an immunity of all citizens of the United States which shall not be abridged by any State or by an instrumentality or creature of any State.

Listen to this language:

Which shall not be abridged by any State or by an instrumentality or creature of any State.

What about an agency of State government, Mr. President? It is proposed that we pass a law which would say that the sovereign States of this Nation cannot have any policy with respect to whom they shall employ and whom they shall promote and whom they shall discharge unless it comes under the jurisdiction and subject to the final decision of the Fair Employment Practice Committee created by the Congress of the United States. Are we ready to set up and create agencies of that character to pass judgment on the activities of the States? It can be said, and sometimes it can be justified, that when the Federal Government is making an appropriation or contributing part of the cost to any activity carried on by a State, then it is appropriate for the Government to have something to say about it. But the proposed legislation goes beyond that. The State itself could not employ anyone if the Committee decided such employment was unfair or discriminated in any way, it would have the power to issue orders against the States.

The Senator from South Carolina asked a question concerning another section of the bill. I think he referred to subsection (c) of section 4, and I now read it:

(c) This act shall apply to the employment practices in the United States and of every Territory, insular possession, agency, or instrumentality thereof, except that paragraphs (3) and (f) of section 10, providing for petitions for enforcement and review, shall not apply in any case in which an order has been issued against any department or independent agency of the United States; but in any such case the Fair Employment Practice Committee established by section 5 of this act may petition the Attorney General of the United States for the enforcement of such order, and it shall thereupon be the duty of the Attorney General to take such measures as may secure obedience to any such order. Every official who willfully violates any such order shall be summarily discharged from the Government employ.

Section 4 (a) and (b) of the bill, referring to the scope of it, is as follows:

Sec. 4. (a) This act shall apply to any employer having in his employ more than five

persons, who is (1) engaged in interstate or foreign commerce; (2) under contract with the United States or any agency thereof; or (3) performing work, under subcontract or otherwise, called for by a contract to which the United States or any agency thereof is a party.

(b) This act shall apply to any labor union which has five or more members in the employ of one or more employers covered by the preceding paragraph.

Mr. President, when did a citizen of our country lose his right to determine which society he shall join, which organization he shall affiliate with, and whether he may choose to keep that organization confined to those possessing certain qualities or certain qualifications of eligibility? Are we ready in this country to take the position that white people can no longer have a society or an organization of their own? Are we ready to surrender and throw away the right to keep segregated, if we want segregation? I have no dislike, I have no hatred, and no prejudice against the Negro race. We have lots of Negroes in my State. I have never had any cause to build up a feeling of hatred or resentment against the Negro. But, Mr. President, I do claim the right for myself, and I want that right retained for my people, for my State, and for my family, to organize into a society, if we may, or to have churches if we may, or to have schools if we may, for white people only, and to give the same rights to Negroes.

If the bill to which I refer should pass in its present form, Mr. President, this Unfair Practice Committee in Washington could tell the school boards of my State that they must, if employing more than five teachers, employ at least one Negro, or two Negroes, as the case may be. If it can do that, Mr. President, it will not only be an encroachment upon the rights of the States, but it will be one of the most damnable things that ever happened to this country, and I am speaking mildly of it when I use that term.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. EASTLAND. The distinguished Senator from Arkansas stated that he thought the white people should be permitted to have an organization of their own. I quite agree with the distinguished Senator in that statement.

The Senator further stated that he had no prejudice against any race. Again I agree with the Senator from Arkansas. I have no prejudice in my heart against any man because of his race, creed, or color. But, Mr. President, I go further than does the distinguished Senator from Arkansas. I am of the opinion that we should have segregation in all the States of the United States by law. What the people of this country must realize is that the white race is a superior race, and the Negro race is an inferior race. Social equality is growing in this country, and in addition to teaching the white race the importance of racial purity, we must prevent racial intermingling by law.

Mr. McCLELLAN. I thank the Senator from Mississippi. It is not necessary to establish the fact that the white race is a superior race. That is not the question. Every right I claim for the white race, every right I claim for my own people, I gladly and willingly accord to the Negro race. I think the Negro, as well as the white man, should have the right to have his own church and his own school, and to exclude others if he so desires. Can we not do that in this country and be left alone? Why this agitation?

The truth is that the freedom and constitutional rights of the people of America are being sold down the river for a mess of political pottage. That is what is happening. Somebody will rue this day. By such legislation they are heading this Government toward communism. We cannot keep freedom if we continually grant authority to some board to regulate the inalienable rights of the people themselves, rights which the people have retained; they have not delegated the power to the President of the United States or to the Congress to change or abolish.

This is serious. It does not involve merely an appropriation of \$500,000. No one would ever miss that. The public debt will be so great that \$500,000 will not be worth mentioning in comparison. But, Mr. President, we can destroy the liberties of the people by the appropriation of far less money, or without the appropriation of a dollar.

Under the Executive order of the President, the Committee on Fair Employment Practice is authorized to accept the services of volunteer workers. To begin with, those who volunteer for such service are usually prejudiced. They have a motive. They volunteer their services with designs. They try to find a victim for the Committee on Fair Employment Practice to harass and intimidate. Let no one say that this Committee does not intimidate. We are in the midst of a war. Everyone knows that the Chief Executive has been given by the Congress greater powers than any other President was ever given in the history of this Nation. The people know, from the operations of agencies which the Congress has authorized, the strength of the Government, and its power to invoke sanctions and reprisals when directives and Executive orders are not obeyed.

Imagine one of the volunteers going out to investigate a situation. He would say, "If you do not do as you are directed, we will make certain recommendations." That is what is being done today. There is a veiled threat and intimidation. The one whose activities are under investigation is told, "If you do not do what the Committee in Washington decides is fair and nondiscriminatory, we will make a recommendation to the War Manpower Commission." In the Executive order the Committee is directed to make such recommendations.

What is the effect of such recommendations? What sort of recommendation would be made to the War Manpower Commission? The Committee would recommend to the War Manpower Commission that the employer be sent no

more employees. The War Manpower Commission would send an order to the United States Employment Service, and the employer would get no more employees.

A representative of the Committee might go to the War Production Board and say, "This man has a Negro working for him, but he will not promote him. We have decided that that Negro ought to be promoted. So, until he promotes him, we recommend that you take away the employer's priorities. We will compel him to do it." The man in business is helpless. A man against whom that sort of a recommendation is made, and against whom a Government agency operates in that fashion, is defenseless. He must either submit or cease operations.

When the able Senator from New York [Mr. MEAD] was discussing this question yesterday I asked him what the effect of the Executive order was. When the directive was issued by the President creating this Committee, the Comptroller General ruled that the order was directive and not mandatory. That was his interpretation of it, and he wrote an opinion to that effect. Then what occurred? The Attorney General took the question up with the President of the United States, who wrote a letter in reply stating that the order was mandatory. With that letter from the President of the United States staring every Government agency in the face, when this Committee recommends to any other agency that it take certain steps against one of its victims who, in the opinion of the Committee, is discriminating or failing to obey some of its orders or mandates, that recommendation becomes mandatory, and the other Government agencies must carry it out.

That is the way this Committee is now operating. It is operating by intimidation, coercion, and threat. Such fear is instilled into employers that it is said that many complaints are adjusted before they reach the Committee. That is possibly true, because of the threats which are made. Any small businessman knows that he must yield or suffer the consequences of injury.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield to the Senator from South Carolina.

Mr. MAYBANK. I hesitate to interrupt the distinguished Senator because I am enjoying very much his most excellent remarks on private employment and intimidation by the Committee on Fair Employment Practice. With his permission, I should like to read a portion of House bill 3986, which it is hoped will eventually be enacted into law. This language relates to violation of the law by any Government official, agency, or instrumentality thereof. It reads as follows:

But in any such case the Fair Employment Practice Commission established by section 5 of this act may petition the Attorney General of the United States for the enforcement of such order, and it shall thereupon be the duty of the Attorney General to take such measures as may secure obedience to any such order. Every official who willfully violates

any such order shall be summarily discharged from the Government employ.

I should like to ask the distinguished Senator from Arkansas if he will comment a little more on the details of the legal complications of this section.

Mr. McCLELLAN. Mr. President, I will say to the Senator from South Carolina that I have already commented on that. Possibly he was temporarily absent from the Chamber at the time. I have expressed my belief that this legislation, with this section in it, together with others I have read, simply sets up a dictatorship committee in Washington to control the affairs of business throughout this Nation.

Mr. President, we have either one or another of two things: Either we have free private enterprise or we have a totalitarian government. Make no mistake about that. People talk about the sacredness of property, and say we stress that to the extent of magnifying property rights above human rights.

Let me tell you that they are equal; they are the same. We cannot destroy property rights without destroying human rights—the right to the pursuit of happiness, the right to life, the right to liberty. We cannot take man's property away from them, except by due process of law, without destroying human rights. There is no country in the world today, there never has been, and there never will be, in which men who are denied the right of ownership and enjoyment in the use of property are not also denied the liberties of which we of America have boasted and been proud.

Mr. President, I know there are those who are ready to say and who will say—in fact, I would not be surprised to read such statements in some publication tomorrow—that I have made a pro-Fascist speech today in the Senate. But let me say to you that if what I am trying to defend and what the able Senators from Georgia and other Senators have been trying to defend on this floor, in connection with this fight, is fascism, it has been fascism ever since the days of the Declaration of Independence, and those who wrote that document were Fascist. If that is fascism, then make the most of it. I do not care what smear terms some publications may use. I shall not be deterred in doing my duty to my country because some Communist wants to becloud the issue by yelling fascism.

But I say to you, Mr. President, it is not fascism. However, the very thing being done here in the attempt to take away the liberties of our people, liberties guaranteed to them under the Constitution, is a long step in the direction of dictatorship and fascism.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MURDOCK. I am sure the Senator does not imply that any of his colleagues sitting here listening to his very eloquent speech would classify it as a pro-Fascist speech or anything of that kind.

Mr. McCLELLAN. I do not think the Senator is justified in inferring such from my remarks, because in my statement I

especially referred to some publications.

Mr. MURDOCK. I am very glad to have the Senator make that statement. I may disagree with the Senator, as I frequently do; but I always accord him credit for the sincerity which I am sure he accords me. If I did not have the greatest respect and admiration for the able Senator in the presentation of his views, I would not sit here as I do.

Mr. McCLELLAN. The Senator simply failed to hear me say that I would not be surprised if certain publications would charge, tomorrow, that I had made a pro-Fascist speech today. Of course, I know the Senator. I served with him in the House of Representatives, and I have served with him here. Although we sometimes disagree on legislation we always are respectful to each other.

Mr. President, in this connection I say that I wish to see the Negroes, the Jews, the Mexicans, and people of any other races which might be considered have the same rights and the same equal opportunities that I have and you have. But in doing that I do not wish to be compelled to surrender the right of liberty which is mine. It is not necessary that I surrender that right. By legislation of this character an attempt is being made to destroy a multitude of privileges, rights, and liberties of the American people, in order to grant one little benefit here and there, as some may think, to some Negro, or to someone else who has not been promoted as fast as this Committee may think he should have been. But, in my judgment, that is simply straining at a gnat and swallowing a camel.

I say to the Senate that legislation of this sort is destroying America. America has had something to be proud of. All the liberties we have enjoyed have made their contribution to the building of the greatest country in the world. Think of this war. Where would the cause of freedom be if it were not for America? It would already be trailing in the dust and in defeat. No one would dare deny that. Why has America been of such great aid to the cause of freedom in this war? It is because of her power, because of her productive capacity.

What gave us that productive capacity? It was not legislation of this character. Such legislation never on earth would make a contribution to the power and productive capacity of America. We never before have had such legislation.

What gave America her power and productive capacity? They came about as a result of the right of men in America to be free, to have the right of choice, the right of decision, the right of free, untrammelled, uncoerced judgment, the right to pursue life and liberty as we choose.

Legislation of the character proposed will destroy some of those rights and privileges. It will harm America. The young men who today are giving their lives on the fields of battle are not dying to preserve America so that it can be made over again. They are not dying for that reason. Any man, no matter who he may be—I do not care whether



he is a United States Senator, President of the United States, a member of an unfair practice committee, or the head of any organization—who attempts to take advantage of the war in order to try to drive through these harmful policies, who attempts to force such legislation at this time, in the name of the war, in my humble judgment does a disservice to and commits injury to those who are fighting on the fields of battle.

We all know there is room for improvement in many respects. But if reform is needed so badly, let me state whom I wish to see have a part in it. I want to see the boys who are saving this country have something to say about it. Let us put off these wild schemes of reform and so-called social gains until they get back home. Then let us see if those who have faced the shot and shell, those who have seen their buddies die in battle, want to change America.

I am not going to change it and take the responsibility for trying to reform and make over this Government while they are dying to preserve it. They love it well enough now, as it is, and as it has been. They go beyond the call of duty hour after hour, and give their lives for something that is precious to them; namely, their way of life. Are we going to change it while they are away? Does any Senator wish to tell them when they come home that if he employs more than five persons he must come to Washington and get a Negro to sanction and approve his employment policies. I am not going to vote to turn this country over to the Negroes, who are less than 10 percent of our population nor to Communists.

I have never had any trouble with the Negroes. I have represented them in the courts, and I have prosecuted them in the courts. I have seen a white jury turn a Negro defendant loose, and convict a white man as an accessory because they gave the colored man the benefit of the doubt that possibly he was influenced by the white man who should have protected him.

No condition exists in my State, Mr. President, which would warrant this unjust encroachment on my people. It cannot be justified.

I conclude with the statement that in order to be consistent, Senators who will vote for this appropriation should vote for permanent legislation of this character. No condition has been shown to exist which would justify the proposal merely as a war measure. If Senators vote to appropriate money to continue the activities of the present Committee, which seeks to expand its jurisdiction and tenure of life beyond what it possesses today under an Executive order, in order to be consistent, they should vote for legislation making the Committee permanent. I shall remain consistent and vote against this and any similar measure. Other measures of this nature may be proposed in the future, and I may not be able to learn of them in time to inform myself of their consequences if enacted into law. But I shall vote against this measure and against every other measure, Mr. President, which undertakes to sabotage the Con-

stitution, and destroy the liberty of our citizens. That is what the proposed measure would do, and that is what it is designed to do. In its ultimate consequences and goal, the hope and ambition of its sponsors is eventually to force an amalgamation of the races. That is the goal toward which it is headed. We are asked to take a step in that direction, and if we take one step we will later take another, and go on down the road. The conditions which will result in America will not be wholesome or healthy for black or white, North or South, East or West.

Today is the day on which a final vote will be taken on the amendment. This is D-day and the H-hour for us.

We must make the decision as to whether we are ready now to give our sanction to the procedure and unfair practice which is now being followed in our Government. Mr. President, I shall vote to strike the appropriation for this Committee from the bill.

**THE PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Georgia [Mr. RUSSELL] to strike out lines 3 to 16, inclusive, as amended, on page 10 of the bill.

**Mr. HILL.** Mr. President, the proposed amendment of the Senator from Georgia [Mr. RUSSELL] has been extensively debated, but I do not wish a vote to be taken upon the amendment before I speak briefly in urging its adoption.

I am opposed to the Committee on Fair Employment Practice. In the first place, we all know that its establishment was never authorized by the Congress of the United States. The Congress not only never authorized or established the Committee, but it never had any intention that any money appropriated out of the Federal Treasury should be used for the operation or maintenance of such an agency of the Government as the Committee on Fair Employment Practice.

On previous occasions no opposition was voiced to the appropriations, out of which funds were used by this agency, because no Senator ever dreamed that any part of such funds would be used for the establishment of such an agency as this Committee. Congress in no way ever gave consent or approval to the establishment of this particular agency. It has no foundation in law. There is no basis for it in any statute, and the powers of the agency are indefinite. No limit has been placed upon its powers. From a reading of the testimony before the House and Senate Committees on Appropriations it would seem that the members of the Committee on Fair Employment Practice have arrogated unto themselves unlimited power, and believe that they can do anything which they desire to do under the Executive order bringing the Committee into being.

**Mr. MURDOCK.** Mr. President, will the Senator yield?

**Mr. HILL.** I yield.

**Mr. MURDOCK.** Does the Senator take the position that in the creation of this Committee the President of the United States acted unlawfully, and without a basis in law?

**Mr. HILL.** I certainly take the position that he had no power to establish the Committee, and that the Committee now has no lawful place in our Government. The Senator knows that the way in which the Committee should have been established was by the enactment of a statute by the Congress of the United States. I know of nothing in the War Powers Act which in any way comprehended, anticipated, or looked toward the creation of such an agency as the Committee on Fair Employment Practice.

**Mr. MURDOCK.** Mr. President, will the Senator further yield to me?

**Mr. HILL.** Of course, I realize that the President could create a committee under the War Powers Act, but he has no power to delegate to it such powers as have been exercised by this Committee.

**Mr. MURDOCK.** The thing which is so astounding to me is that Senators take the position on this floor that the President of the United States acted unlawfully in the establishment and creation of this Committee. I have no quarrel with statements which have been made in criticism of the actions of the Committee. But when Senators rise on the floor of the Senate in time of war such as now and when by a declaration of war Congress has placed upon the President of the United States as Commander in Chief of the Army and Navy the responsibility of prosecuting the war to a successful conclusion, and take the position that the President has acted unlawfully in the creation of this Committee more effectively to mobilize the manpower of the country, I am unable to understand their attitude.

Before they make a declaration on the floor of the Senate that the President has acted unlawfully in this matter I ask Senators to examine the grant of power under the Constitution to the executive department and compare it to the grant of power to the legislative department. What will they find? They will find that the grant of executive power is substantially in the following language: "The executive power shall be vested in a President of the United States." That is very broad and comprehensive language.

**Mr. HILL.** Mr. President, I do not wish to interrupt the Senator. I wish to yield to him for a question, but not for a speech. When I shall have finished my remarks, which will not be very lengthy, the Senator may make a speech.

**Mr. MURDOCK.** I wish merely to say that we must look to the Constitution as well as to statutory law in determining the powers of the Executive. Now as to the grant of legislative power in the Constitution we find it to be in most restrictive language, to wit: "All legislative powers herein granted should be vested in a Congress of the United States." I call particularly to the Senator's attention the words "herein granted."

In my opinion especially in time of war, this distinction between those two grants of power under the Constitution, should be taken cognizance of in the debate. To me in a national emergency and crisis such as this when the President has devolved upon him the very

preservation of the Nation Congress should proceed very cautiously in denying or curtailing his functions and powers.

Mr. HILL. Mr. President, in war or not in war, the President has power only which the Constitution gives him, and which the Congress by the enactment of statutory legislation gives to him. I know of no provision of the Constitution of the United States which gives to the President the power to set up this Committee and to attempt to give to the Committee the authority which it is now seeking to exercise. I know of no provision in any statute passed by the Congress which gives such power to the President of the United States. There are definite inhibitions and definite limitations on the power of the President in time of war as well as in time of peace. As I have said, the only power the President can exercise is the power that is given to him by the Constitution or by statutes passed by the Congress.

Mr. President, if the Fair Employment Practice Committee had been created by an act of Congress, as it should have been, if it was going to be set up at all, no doubt its powers would have been defined; no doubt there would have been some limit on the field within which the Committee could act. But, as the matter now stands, the power of the Committee is not defined, there is no limit on its power, no inhibition established. As I have said, the Committee seems to arrogate unto itself whatever power it sees fit to take.

Furthermore, Mr. President, there lies no appeal from a decision by the Committee. This question has been discussed by other Members of the Senate; but if there is any one thing that is fundamental in our American system of government it is the right of appeal, and if there is any one case where such right should exist and be safeguarded, it is where the powers sought to be exercised are not clearly defined. In this instance we find an agency seeking to exercise power which is in no way defined and from the decisions of which there is no right of appeal.

This Committee was established, Mr. President, on the basis that it would help promote the war effort. Instead of helping the war effort, certainly, so far as the section of the country from which I come is concerned, it has proved definitely harmful. It has caused irritation; it has bred resentments; it has created bitterness. Instead of making for unity, instead of making for all-out effort on the part of our people, it has divided them. That which should be our first consideration is the war effort, the production of the things needed for the war effort, the production of iron and steel, of aluminum, of sulfur, and all the other many materials which go into the implements our soldiers across the seas need and must have for the winning of this war. Our first thought should be the production of the guns, the tanks, the planes, and other implements of warfare. If they are to be produced in the best possible way, in the most efficient way, and in the shortest possible time, then we must have team play—the

best possible team play, the best possible cooperation and harmony among those charged with the responsibility of carrying on the work of production.

Mr. GILLETTE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Iowa?

Mr. HILL. I yield.

Mr. GILLETTE. I ask the Senator to yield because I wish to refer to an interruption that came from the Senator from Utah [Mr. MURDOCK] when he mentioned the provision of the Constitution which reposed the legislative power in the Congress and referred to the phrase "the legislative power herein granted." I hope the Senator from Alabama will bear with me while I refer to the section of the Constitution referring to "legislative power herein granted." It is section 8, article I of the Constitution, and reads:

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers—

Which are listed—

and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

That is the legislative power.

Mr. HILL. I want to thank the Senator for his contribution. The language of the Constitution is clear, specific, and definite; there can be no question about the fact that the Congress alone can legislate, and that the President cannot, because he happens to be the Chief Executive, create agencies and set up instrumentalities of the Government except as he is authorized to do so by the Congress of the United States. There can be no question about that.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from Utah.

Mr. MURDOCK. Does the Senator take the position that the war powers of the President come exclusively and must come exclusively from statutory law?

Mr. HILL. They come either from the Constitution of the United States or from the statutes. The President has no power at all except the power which may be given him by the Constitution or by statutes passed by the Congress.

Mr. MURDOCK. That is the point I desired to make in calling the matter to the attention of the Senate. Inasmuch as the able Senator from Iowa, as I understand him, has taken some issue with the statement I made, will the Senator from Alabama yield to me to read from a decision by Chief Justice Taft on this very question? It is very brief and right to the point.

Mr. HILL. How late is the decision? I imagine the decision is 20 years old and it may have been set aside by this time. However, I yield; I want to be courteous to my friend, the Senator from Utah.

Mr. MURDOCK. In my opinion, the part of the decision which I shall read is very pertinent to the present discus-

sion. I quote from the decision in Myers versus the United States, written by Chief Justice Taft:

The difference between the grant of legislative power under Article I to Congress, which is limited to powers therein enumerated, and the more general grant of the executive power to the President under Article II, is significant.

That is the language of Chief Justice Taft in the Myers case. That is the point I want to make when Senators challenge a right of the President such as he has exercised in the creation of this Committee in time of war when we have devolved upon him the responsibility of carrying it on to successful conclusion. My point is that before we accuse him of acting unlawfully in setting up, as he has done in this case, a committee for the better mobilization of the manpower of the country, we must have in mind not only the constitutional grant of power to the Executive but also any statutory law that may be enacted to implement the broad grant of executive power in the Constitution. I thank the Senator for his courtesy.

Mr. HILL. I cannot agree with the distinguished Senator from Utah. I know of no grant either in the Constitution or in the statutes giving to the President the power to set up such an agency as the Fair Employment Practice Committee.

Mr. President, as I stated, our first consideration at this time, our paramount consideration, should be to do that which will contribute most to our war effort. As I have said on many occasions, it will not be enough to win the war; we must win it in the shortest possible time, and save every life we possibly can.

Time and again we have been reminded by those responsible for our war production and by those responsible for our military operations that our battle front rests squarely on the home front, that what we can do in carrying war to our enemies and in bringing about their destruction and their defeat depends upon what we do here on the home front, how well we supply our men, with what rapidity we send them the implements of warfare which they must have in order to do the job assigned them.

Mr. President, as I have said, this agency, instead of contributing to the war effort, instead of being helpful to it, instead of stimulating it, instead of doing something constructive for the war effort, brings about the irritations, the resentments, the bitterness to which I have referred, and therefore it has proved definitely harmful to our war effort. As an agency breeding discontent and resentment among our people I hope the Congress will not put an end to it, refuse this appropriation and let us be done with a bad committee.

Mr. CONNALLY. Mr. President, I shall detain the Senate for only a few moments. The pending amendment has been very thoroughly debated, and I know it would be difficult to add anything to the information of the Senate on the subject. I shall vote against the provision providing for the F. E. P. C.



Mr. President, it seems to me that the very spirit of this provision is wholly out of line with what we have always heretofore conceived to be the relation as between our people with respect to matters of employment. It is said the desire is to prevent discrimination. After all, who is to decide whether discrimination is being practiced—this agency, or the man who does the employing, whose money is used to pay for the employment, and who is to be served by the particular character of the services of the employee? Or is the question of discrimination to be determined by some outsider, some governmental functionary on a Government salary? How is he better advised as to the qualifications of a particular applicant to fit the requirements of the position which he seeks, than the man who owns the business, the man who offers the position, the man who wants the services of the employee in a business with which he is entirely familiar?

It seems to me that the freedom and the liberty of action of the employer is as much to be consulted as that of the employee. My own experience is that the best way to instill confidence as between the employee and the employer is to let these forces have their natural play, and not have an employee who feels that his tenure is not dependent upon his employer, but is dependent upon the exercise of some governmental force or some governmental compulsion to put him and keep him in his job.

Mr. President, the experience of every Government department, and of Senators and others, shows that if we employ someone under pressure from outside sources, the relationship between us and the employees is never good. The employee feels that he can go around us, and may appeal to some higher authority.

Like most governmental agencies, the agency here concerned wants to spread its jurisdiction. In my own State of Texas the F. E. P. C. had an experience which I shall briefly call to the attention of the Senate. The Dallas News, one of the great newspapers of the State, inserted in one of its advertising columns an advertisement that the newspaper itself wanted an employee, a colored man, for some sort of work in the press room, folding papers, or something of the kind. The F. E. P. C. communicated with the Dallas News and, on the ground that the newspaper was discriminating, said, "You cannot use that kind of an advertisement. You cannot specify whether you want colored or white." Probably they kept some good colored man out of a job for which he was suited.

The Dallas News resisted, and such a hubbub was created over the incident that the Committee finally withdrew its interference, and admitted that it was in error and that a newspaper was not such an essential industry in the war situation as to justify invoking the jurisdiction of the F. E. P. C. So it withdrew. But it did not want to withdraw. It wanted to stretch its jurisdiction into every avenue of life and of industry. It wanted to exercise governmental compulsion and governmental power as to the employment terms affecting every-

one, everywhere, in every industry throughout the land.

Mr. President, I am not so much concerned about discrimination on the color line. We in the South have never discriminated against the colored race as to employment. There are certain types of employment for which they are superior, and for which we would prefer them to white employees. On the other hand, there are other kinds of employment in which we prefer the whites. If we leave the matter to the employees and to the employers themselves, we will never have serious difficulty in the South. But if we intrude the arm of the Government, the mailed fist, into these relationships, we shall breed dissension, we shall breed trouble.

I wish to say to some of those who today wear the cloak of purity, and express high interest in others, that by the enactment of legislation of the character now proposed they are going to cause the very thing they are pretending to want to prevent.

Mr. President, I know of no law of Congress which ever authorized the establishment of the organization under discussion. I wrote to a man in my State in April, before all the disturbance and noise about this matter arose, that I knew of no law authorizing the establishment of the agency. He wanted my advice; he did not follow it after he got it, but he wanted it. I told him that if I were in his position I would go right on running my business as I always had, and would ignore this concern. But under the threat of Government penalties and Government compulsion, he wrote them a note, "I will not run any more advertisements like this." That man had a small manufacturing plant, and he placed an advertisement in a newspaper saying that he wanted six white women to do certain kinds of work. This agency went after him like a swarm of bees and forbade the use of such an advertisement, and thereby probably kept several women out of employment who perhaps needed employment and who could perform the duties and would better than others suit the requirements of the position to the employer.

Mr. President, no law existed which authorized the establishment of this agency when it was created, and the best proof of that is that we now have before us a proposal to make the Committee legal. If it were legally constituted all the time why would there be need for a new law respecting it? It is proposed to enact a law providing for the legalizing of something which was contended to be legal and legally authorized all the time. Of course, nothing in the Constitution authorizes the establishment of this Committee. There is no statute providing for it.

So, Mr. President, I shall vote "nay" on the proposal.

Mr. RUSSELL. Mr. President, the Senator from Texas means that he favors the motion to strike from the bill the language dealing with the Committee?

Mr. CONNALLY. I mean I shall vote against the appropriation. So, Mr. President, I shall vote to strike out of the

bill the proposal with respect to the Committee.

Mr. WHITE. Mr. President, I make the point of no quorum.

The PRESIDING OFFICER (Mr. WALSH of New Jersey in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Guffey	Radcliffe
Ball	Gurney	Reed
Bankhead	Hatch	Revercomb
Barkley	Hill	Robertson
Bilbo	Holman	Russell
Brewster	Johnson, Colo.	Shipstead
Burton	Kilgore	Stewart
Bushfield	Lucas	Taft
Byrd	McClellan	Thomas, Okla.
Capper	McFarland	Thomas, Utah
Chavez	McKellar	Tunnell
Connally	Maloney	Vandenberg
Cordon	Maybank	Wagner
Davis	Mead	Wallgren
Eastland	Millikin	Walsh, Mass.
Ellender	Murdock	Walsh, N. J.
Ferguson	Murray	Weeks
George	O'Mahoney	Wherry
Gerry	Overton	White
Gillette	Pepper	Willis

The PRESIDING OFFICER. Sixty Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL] proposing to strike out the paragraph relating to the Committee on Fair Employment Practice, as amended, being lines 3 to 16, inclusive, on page 10.

Mr. BALL. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. DAVIS (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. I transfer that pair to the junior Senator from Illinois [Mr. Brooks] who, if present, would vote as I intend to vote. I am therefore at liberty to vote. I vote "nay."

Mr. ELLENDER (when his name was called). I have a pair with the senior Senator from Maryland [Mr. TYDINGS] who, if present, would vote "nay." If I were at liberty to vote I would vote "yea."

Mr. WHITE (when Mr. LANGER's name was called). I have been requested by the Senator from North Dakota [Mr. LANGER] to announce that he is unavoidably absent on Federal business, and that if present he would vote "nay."

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the junior Senator from California [Mr. Downey] and will vote. I vote "nay."

The roll call was concluded.

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM] are absent on official business.

The Senator from Florida [Mr. ANDREWS], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Kentucky [Mr. CHANDLER], the Senator from

Idaho [Mr. CLARK], the Senator from Missouri [Mr. CLARK], the Senator from Rhode Island [Mr. GREEN], the Senator from Arizona [Mr. HAYDEN], the Senator from Indiana [Mr. JACKSON], the Senator from South Carolina [Mr. SMITH], the Senator from Missouri [Mr. TRUMAN], the Senator from Maryland [Mr. TYDINGS], and the Senator from Montana [Mr. WHEELER] are detained on public business.

The Senator from California [Mr. DOWNEY] is absent on official business for the Senate.

The Senators from North Carolina [Mr. BAILEY and Mr. REYNOLDS] and the Senator from Texas [Mr. O'DANIEL] are necessarily absent.

I also announce the following pairs: the Senator from North Carolina [Mr. BAILEY] with the Senator from Missouri [Mr. CLARK]; the Senator from Arkansas [Mrs. CARAWAY] with the Senator from Missouri [Mr. TRUMAN]; the Senator from South Carolina [Mr. SMITH] with the Senator from Indiana [Mr. JACKSON]; the Senator from Florida [Mr. ANDREWS] with the Senator from Nevada [Mr. McCARRAN]; and the Senator from Texas [Mr. O'DANIEL] with the Senator from Delaware [Mr. BUCK]. I am advised that, if present and voting, the Senator from North Carolina [Mr. BAILEY], the Senator from Arkansas [Mrs. CARAWAY], the Senator from South Carolina [Mr. SMITH], the Senator from Florida [Mr. ANDREWS], and the Senator from Texas [Mr. O'DANIEL] would vote "yea," and the Senators from Missouri [Mr. CLARK and Mr. TRUMAN], the Senator from Indiana [Mr. JACKSON], the Senator from Nevada [Mr. McCARRAN], and the Senator from Delaware [Mr. BUCK] would vote "nay."

I further announce that, if present and voting, the Senator from Rhode Island [Mr. GREEN], the Senator from California [Mr. DOWNEY], the Senator from Montana [Mr. WHEELER], and the Senator from Wisconsin [Mr. LA FOLLETTE] would vote "nay."

The Senator from Arizona [Mr. HAYDEN] has a general pair with the Senator from North Dakota [Mr. NYE]; and the Senator from Virginia [Mr. GLASS] has a general pair with the Senator from Vermont [Mr. AUSTIN].

Mr. WHERRY. The Senator from New Hampshire [Mr. BRIDGES], who is absent because of illness, has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from North Dakota [Mr. NYE], who is necessarily absent, has a general pair with the Senator from Arizona [Mr. HAYDEN].

The Senator from Delaware [Mr. BUCK], who would vote "nay," is paired with the Senator from Texas [Mr. O'DANIEL], who would vote "yea."

The Senator from Vermont [Mr. AUSTIN], who is necessarily absent, has a general pair with the Senator from Virginia [Mr. GLASS].

The Senator from Illinois [Mr. BROOKS], the Senator from Connecticut [Mr. DANAHY], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent. These Senators would vote "nay" if present.

The Senator from New Jersey [Mr. HAWKES], the Senator from North Dakota [Mr. LANGER], the Senator from Oklahoma [Mr. MOORE], the Senator from Idaho [Mr. THOMAS], and the Senator from Iowa [Mr. WILSON] are necessarily absent.

The Senator from Wisconsin [Mr. WILEY] is absent attending the marriage of his daughter. If present, he would vote "nay."

The result was announced—yeas 21, nays 39, as follows:

## YEAS—21

Bankhead	George	Maybank
Bilbo	Gurney	Millikin
Brewster	Hill	Overton
Bushfield	Holman	Robertson
Byrd	Johnson, Colo.	Russell
Connally	McClellan	Stewart
Eastland	McKellar	White

## NAYS—39

Alken	Hatch	Shipstead
Ball	Kilgore	Taft
Barkley	Lucas	Thomas, Okla.
Burton	McFarland	Thomas, Utah
Butler	Maloney	Tunnell
Capper	Mead	Vandenberg
Chavez	Murdoch	Wagner
Cordon	Murray	Wallgren
Davis	O'Mahoney	Walsh, Mass.
Ferguson	Pepper	Walsh, N. J.
Gerry	Radcliffe	Weeks
Gillette	Reed	Wherry
Guffey	Revercomb	Willis

## NOT VOTING—36

Andrews	Downey	Nye
Austin	Ellender	O'Daniel
Bailey	Glass	Reynolds
Bone	Green	Scruggam
Bridges	Hawkes	Smith
Brooks	Hayden	Thomas, Idaho
Buck	Jackson	Tobey
Caraway	Johnson, Calif.	Truman
Chandler	La Follette	Tydings
Clark, Idaho	Langer	Wheeler
Clark, Mo.	McCarran	Wiley
Danaher	Moore	Wilson

So Mr. RUSSELL's amendment was rejected.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had receded from its disagreement to the amendments of the Senate numbered 5, 7, 9, 10, 11, 12, 13, 14, 17, 25, 31, 41, 43, 48, 52, 59, 66, and 71 to the bill (H. R. 4443) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1945, and for other purposes, and concurred therein; that the House receded from its disagreement to the amendments of the Senate numbered 27, 40, 53, and 63 to the bill, and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate; that the House receded from its disagreement to the amendment of the Senate numbered 65 to the bill and concurred therein with amendments, in which it requested the concurrence of the Senate; that the House insisted upon its disagreement to the amendment of the Senate numbered 60 to the bill, asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TARVER, Mr. CANNON of Missouri, Mr. SHEPPARD, Mr. WENE, Mr. LAMBERTSON, Mr. DIRKSEN, and Mr. PLUMLEY were appointed managers on the part of the House at the conference.

## ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution and they were signed by the Acting President pro tempore:

H. R. 1475. An act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended;

H. R. 4320. An act relating to the computation of interest on contributions to the civil-service retirement fund returned to employees upon their separation from the service;

H. R. 4659. An act to authorize the Soil Conservation Service to lend certain equipment; and

H. J. Res. 298. Joint resolution making appropriations for grants to States under the Social Security Act.

## APPROPRIATIONS FOR WAR AGENCIES

The Senate resumed the consideration of the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.

Mr. RUSSELL. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 10, at the end of line 16, it is proposed to insert the following: "Provided, That no part of the funds herein appropriated shall be used to pay the compensation of any person to initiate, investigate, or prosecute any complaint against any defendant where such defendant does not have the same right to appeal an adverse decision of the Committee on Fair Employment Practice to the President of the United States, or to refer said complaint to the President of the United States for final disposition, as is asserted by or allowed the said Committee on Fair Employment Practice in cases where persons complained against refuse to abide by its orders."

Mr. RUSSELL. Mr. President, the nature of this agency is transformed by the vote which has just been taken. Heretofore the organization has been the President's Committee on Fair Employment Practice. By the majority vote which has just been had in this Chamber it now becomes the Congress' Committee on Fair Employment Practice. Up until this hour it has been the child of the executive branch of Government. The legislative branch has now adopted it, and has undertaken to give it legality.

Certainly, Mr. President, if we are going to confirm in this manner all the acts of the Committee on Fair Employment Practice and all the rules and all the regulations which have been promulgated by it, the least we can do is to preserve an essential right of every American citizen, namely, the right to appeal from an adverse decision which may destroy such citizen.

Under the regulations which now are in force, which provide for the procedure in the Committee, the Committee has the right to refer or to cite to the President of the United States any defendant who refuses to carry out its orders. The amendment merely would allow a defendant who has been cited before the Com-



mittee—without, as I still insist, any authority of law—to have the same right of appeal which is allowed to the Committee.

Of course, Senators can vote against providing any right of appeal. They can vote to give the Committee all the powers it has asserted are vested in it by the Executive order. But I shall ask that we have a yea-and-nay vote on the question whether an individual who has been cited before the Committee shall be denied the right of appeal, shall have his contracts canceled, and shall have other sanctions imposed against him, although the Committee itself, if that person refuses to act, has a right to appeal to the President of the United States.

I ask for the yeas and nays on the amendment which provides that right.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MALONEY. I should like to have a clear understanding of the amendment, before the vote is taken. The Committee on Fair Employment Practice has no right to cancel contracts. The Senator has said contracts can be canceled only through some other agency of Government.

Mr. RUSSELL. That is correct.

Mr. MALONEY. Does the Senator contend that if the War Department cancels a contract, the man who had the contract has a right to appeal to the President of the United States?

Mr. RUSSELL. That is what I am seeking. I say that if the War Department is to cancel a man's contract because he does not conform to a ruling or order which has been issued by the Committee on Fair Employment Practice, certainly that man, the defendant, should have the right to appeal.

Under the procedure which now obtains, the Executive order provides that if a person refuses to conform, before sanctions are employed the Committee has a right to cite the defendant to the President of the United States. In two cases the Committee has cited defendants to the President.

The amendment provides that if the Committee arbitrarily and without good reason proposes to cancel a contract, a party to the contract shall have a right to appeal.

Mr. MALONEY. Mr. President, I am inclined to be in accord with what I think is the Senator's purpose. But I am wondering whether by the amendment he would not direct that a party to almost any canceled war contract might have the right to appeal to the President.

Mr. RUSSELL. I do not think so. The amendment provides that if the committee arbitrarily attempts to impose some unfair order or regulation upon a party to such a contract, he may have the right of appeal to the President. At the present time such a person is absolutely without any recourse. He cannot go into the courts. Of course, it would be a futile thing to give him the right to come to the Congress, inasmuch as the Congress has already vested these powers in the Committee on Employment by the vote just had. There should be a

right of appeal somewhere before a citizen suffers loss due to arbitrary action.

As I have said before, the matter of the cancellation of contracts is a question of life and death with American business today. The Committee on Fair Employment Practice, having been given congressional sanction, can practically eliminate an industry if it wishes to do so, and a party to a contract has absolutely no right of appeal from the Committee's decision.

Mr. MALONEY. Does the Senator think his amendment makes it clear that persons engaged in war work, and subject to the cancellation of contracts, can appeal only if the difficulty arises as the result of action taken by the Committee on Fair Employment Practice?

Mr. RUSSELL. Oh, yes. Such persons could appeal only when a government department or agency has canceled a contract, and when the party to the canceled contract, or the defendant, contends that some action on the part of the Committee on Fair Employment Practice has been arbitrarily directed against him.

Mr. MALONEY. The Senator has made that point clear; has he?

Mr. RUSSELL. I am sure it is clear. Of course, the effect of the amendment is that some rules to provide for an appeal must be established. That is its effect. The only way we can bring that about is by way of a limitation upon the appropriation. With this limitation imposed I am sure the F. E. P. C. will provide some method of appeal to those who contest its powers and orders.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BARKLEY. Under the present practice, as I understand it, if a person or corporation proceeded against refuses to carry out an order of the Committee, the Committee may appeal to the President. Is that true?

Mr. RUSSELL. Yes.

Mr. BARKLEY. The Committee itself cannot cancel contracts, and does not do so, under the regulations. But the War Department or some other department which has a contract may do so, as I understand the situation. Is that correct?

Mr. RUSSELL. That is correct.

Mr. BARKLEY. If the department which has the contract which has been recommended for cancellation by the Committee—I suppose the Committee can do that—itself refuses to cancel the contract, then the Committee can take that matter to the President; is that true?

Mr. RUSSELL. That is correct.

Mr. BARKLEY. What the Senator is seeking to accomplish, as I understand the amendment, is that when the department involved has canceled the contract, a party to the contract can appeal to the President, if the department canceled the contract as a result of a recommendation of the Committee, but not of any other agency.

Mr. RUSSELL. That is correct.

Mr. President, I ask that the amendment be agreed to.

Mr. BARKLEY. Mr. President, unless the amendment involves something which does not appear on the surface, I personally do not believe any injustice would result to the Government by reason of allowing a person whose contract is canceled as a result of action by the Committee to take up the matter with the President. I would object to providing the right of appeal to the President in the case of a contract which was canceled as a result of action by some other agency. But in a case in which the contract is canceled as a result of some regulation of the Committee on Fair Employment Practice, I am inclined to think such a provision might be made.

Mr. RUSSELL. I thank the Senator.

Mr. CHAVEZ. Mr. President, if the amendment, as it is worded, provides for an appeal to the President, such as the appeal the Committee would have, I do not believe anyone would object to it at all.

May the amendment be read again?

The PRESIDING OFFICER. Without objection, the amendment will be read again.

The CHIEF CLERK. On page 10, at the end of line 16, it is proposed to insert: "Provided, That no part of the funds herein appropriated shall be used to pay the compensation of any person to initiate, investigate, or prosecute any complaint against any defendant where such defendant does not have the same right to appeal an adverse decision of the Committee on Fair Employment Practice to the President of the United States, or to refer said complaint to the President of the United States for final disposition, as is asserted by or allowed the said Committee on Fair Employment Practice in cases where persons complained against refuse to abide by its orders."

Mr. BARKLEY. Mr. President, will the Senator yield further?

Mr. RUSSELL. I yield.

Mr. BARKLEY. I think it is unfortunate that the amendment has to be offered by way of a limitation on an appropriation. But it cannot be offered otherwise except by a suspension of the rule, which would require a favorable vote of two-thirds of the Senate.

The language in the amendment, "to initiate, investigate, or prosecute any complaint," in cases in which the right of mutual appeal does not exist, in order to be effective would result, I suppose, in an amendment or a modification of the rules of the committee.

Mr. RUSSELL. Of course, I stated frankly to the Senator from Connecticut, that the effect of the amendment would be to force the establishment of some method of appeal. If the members of the committee do not do that, they cannot draw their salaries.

Mr. BARKLEY. Of course, none of the appropriation could be used for the purpose for which it was intended, otherwise.

Mr. RUSSELL. That is correct.

Mr. BARKLEY. I myself would prefer to vote straight out on the question of providing for an appeal to the President, rather than to vote for it in this way. But I realize that we could do that

only by a two-thirds vote on the question of suspension of the rule.

The PRESIDING OFFICER (Mr. TUNNELL in the chair). The question is on agreeing to the amendment of the Senator from Georgia, adding certain language on page 10, at the end of line 16.

The amendment was agreed to.

Mr. RUSSELL. Mr. President, I offer the amendment which I send to the desk, and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. After line 16, on page 10 of the bill, it is proposed to insert the following: "Provided further, That no part of this appropriation shall be used to pay the compensation of any person to initiate, investigate, or prosecute any proceeding against any person, firm, or corporation which may result in seizure or operation of any plant or other property of such person, firm, or corporation by Federal authority for the failure to abide by any rule or regulation of the Committee on Fair Employment Practice, or for failure to abide by any order passed by the Committee on Fair Employment."

Mr. RUSSELL. Mr. President, the amendment speaks for itself. During the course of the debate it developed that the chairman of this Committee had asserted the right of the Committee to cause the taking over of any plant when the owners thereof did not comply with an order of the Committee. The amendment makes it clear that no industry, or any person having business with the Government, shall have its plant taken over for failure to conform to any rule of the Committee. The Government would still have the right to cancel the man's contract. But certainly neither this Committee nor any other agency of the Government should have the authority to order a plant to be seized merely because the owner had not carried out the Committee's rules in the absence of any legislative standards imposed by the Congress upon the Committee.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BARKLEY. I am not aware of any case in which the Committee itself has attempted to take over any plant. I had not been apprised of the fact that it had asserted such right. I have been absent in an attempt to help write an O. P. A. bill and have not been present during all the debate.

Allow me to ask the Senator a question. Suppose that as the result of an order issued by the Committee to cease and desist in the case of any discrimination which it has the right to consider, the plant which was involved refused to carry out the order of the Committee, and as a result a strike took place involving the production of war material. Would the proposed amendment deprive the President of the right to take over the plant under laws already enacted?

Mr. RUSSELL. It would not deprive the President of any right conferred by existing law. If such plant were closed

by a strike he is authorized by substantive law to seize the plant.

Mr. BARKLEY. I am not certain about it, because the language of the amendment includes, I believe, the phrase "resulting from any order," and so forth, of this Committee. I certainly do not feel that we should deprive the President of the right to seize a plant for any reason which ourselves have specified in the laws which we have enacted.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CONNALLY. Is it not true that all the amendment would do would be to provide a penalty for not observing the rules of the Committee, but that confiscation would not take place?

The case cited by the Senator from Kentucky would involve a different proposition. After certain things took place if a strike should result in a war plant, the strike law would apply.

Mr. BARKLEY. I can very well visualize a case in which the Committee itself had ordered a plant to cease a discrimination which it had found to exist. If the plant refused to obey the order of the Committee, the Committee could then appeal to the President.

Mr. RUSSELL. Mr. President, I wish to be candid with Senators. I do not want any Senator to be misled in voting on the proposal. I did not have time to have the amendment printed. It occurred to me very early this morning while I was thinking of some safeguards to suggest in connection with this provision.

Mr. BARKLEY. The hour intimated by the Senator from Georgia is a very late one for a Member of this body to be out. [Laughter.]

Mr. RUSSELL. The purpose of the amendment, whether the language would accomplish it or not, is completely to divest this Committee of the right to set any machinery in action which would take over any industrial plant.

Mr. BARKLEY. I should like to have the amendment reread. When it was read by the clerk I caught some language which made me believe that if anything should happen which was the result of an order of the Committee the plant might not be taken over even if what had occurred should result in a strike by the employees, or a refusal to carry out the orders of the Committee.

The PRESIDING OFFICER. The amendment will be restated.

The CHIEF CLERK. After line 16, on page 10 of the bill, it is proposed to insert the following: "Provided further, That no part of this appropriation shall be used to pay the compensation of any person to initiate, investigate, or prosecute any proceeding against any person, firm, or corporation which may result in seizure or operation of any plant or other property of such person, firm, or corporation by Federal authority for the failure to abide by any rule or regulation of the Committee on Fair Employment Practice, or for failure to abide by any order passed by the Committee on Fair Employment."

Mr. BARKLEY. I think there could be no doubt about the interpretation of the amendment that even the President himself could not, under present law, take over a plant because of a strike resulting from the nonobservance of an order issued by the Committee.

Mr. RUSSELL. The Senator knows that a statute cannot be repealed by limitation of an appropriation. Only the power may be limited of the organization for which the appropriation is made. The language in the proposed amendment could not in any way repeal the powers of the President to take over any plant.

Mr. BARKLEY. The amendment refers to the taking over of a plant by the Federal authority.

Mr. RUSSELL. Yes.

Mr. BARKLEY. The President has Federal authority.

Mr. RUSSELL. Of course he has.

Mr. BARKLEY. The language seems to me, although the Senator may not have so intended it, to be broad enough to be interpreted as meaning that none of the money may be used to investigate, initiate, or otherwise to proceed against any plant which would result in taking over a plant by Federal authority. I can very well understand how there could arise a situation in which a war plant might be involved in a strike growing out of activities of this committee, or the failure of the company involved to carry out the recommendations or orders of the committee. If war production were involved I certainly would not wish to vote for an amendment which would take away from the Federal authority which now exists the right to take over a plant in the event that a strike should result from the controversy.

Mr. RUSSELL. I can see no basis whatever for the assertion—

Mr. BARKLEY. Even if there were a likelihood of the occurrence which I have stated, the money could not be spent under the amendment for the purpose referred to.

Mr. CONNALLY. Mr. President, I wish to submit that the construction which the Senator from Kentucky fears would not be possible under the language of the amendment. The amendment says in part:

Any proceeding against any person, firm, or corporation which may result in seizure or operation of any plant or other property of such person, firm, or corporation—

That language is followed by an assertion, which is not necessary, of the words "by Federal authority."

For what?

For failure to abide by any order passed by the Committee on Fair Employment.

In other words, the amendment applies to a seizure, not because of a strike, not because of something that happens later on; the amendment herely prohibits the seizure of a plant as a penalty for violating some rule of the committee. That is what it is intended to do, is it not?

Mr. RUSSELL. That is exactly what I intended, that is the purpose of the amendment, and I thought it was perfectly clear.



Mr. CONNALLY. I do not see how any other construction can be placed upon it, because it says "which may result in the seizure or operation of any plant or other property of such person." For what? For failure to abide by the committee's rule. If it is for something else, for a strike later on, that is a wholly different matter, and has no relation whatever to this particular amendment.

Mr. BARKLEY. Let me analyze the language of the amendment of the Senator from Georgia a little further. It reads:

*Provided further, That no part of this appropriation shall be used to pay the compensation of any person to initiate, investigate, or prosecute any proceeding against any person, firm, or corporation which may result in the seizure or operation of any plant or other property of such person, firm, or corporation.*

How can anyone who starts out to investigate one of these cases know in advance whether it might result in the seizure of property, and if he starts out innocently, under the orders of the Committee, to investigate a complaint, and later on the plant should be taken over, how could he be stopped from proceeding merely on the fear that it might result in the seizure of the plant? I do not see how anyone, under this language, would feel justified in making any kind of an investigation, because he could not project his mind far enough into the future to see what some other agency might do. It applies to every person who would undertake anywhere to investigate a complaint. If the Senator is going to try to limit the taking over of any plant, it seems to me it should be by the Committee itself, not by any other Federal agency, because the complaint the Senator makes against the Committee is that it asserts the right; not that it has ever taken over a plant.

Mr. RUSSELL. I do not think the Committee has made a formal declaration that it had the right to take over a plant. According to a newspaper account read in the course of the debate—though not by me—the chairman asserted that if the 14 railroads which had been cited to the President did not conform to their order, the President of the United States was going to take the railroads over. I think that when we legislate in this haphazard fashion and impose upon American industry or business the penalty of losing contracts with the Government in this time, when that is certainly a very extreme penalty, we should not go further and say, "We not only are going to take your contract away from you, but are going to take your plant away from you, if you do not come in and conform to the orders of this agency," which has no legislative standards, the powers of which Congress has never defined, other than by the unlimited grant of power the Senate approved by the vote a few moments ago. I do not believe it is fair, from what I know of the Committee and some of its actions in the past, that the Committee should have the right to set in motion action which would eventuate in the seizure and operation of private business in this country. The

penalty of losing a contract is certainly a very stiff penalty.

Mr. BARKLEY. I should like to ask the Senator another question. I do not know the basis upon which the Chairman of the Committee made the assertion, if he did make it, that the President would take over 14 railroads simply because they did not obey the orders of the Committee. That would be a matter up to the President, even if he had the power to do it. It is inconceivable to me that anyone could predict that the President would take over the railroads under any circumstances except those already outlined in the law, under which he took them over a few months ago because of a threatened strike, not because of the disobedience of an order of somebody which had been issued, but as a war measure, because a strike threatened to interfere with transportation. Fortunately, that matter was settled, and the railroads were operated by the Government but a few days.

Mr. RUSSELL. The Senator knows that the question of a strike is not involved in the railroad case originated by F. E. P. C. There has been no strike as the result of the President's order. There has been an absolute refusal on the part of the railroad brotherhoods and the railroads, which have an existing contract, to conform to the order of the F. E. P. C., that they cancel their contract. The labor union said, "We are not going to cancel the contract," and the railroads said, "We are not going to cancel the contract," and the matter has now been referred to the President of the United States.

Certainly, Mr. President, the power to take away from those railroads any Government business should be a sufficient penalty, when it is asserted by as nebulous an organization as the one under consideration.

There is nothing in the amendment which would repeal any substantive law, and the Senator from Kentucky is familiar with the rule which has been uniformly followed, that a limitation on an appropriation applies only to that appropriation.

Mr. BARKLEY. Yes; I appreciate that.

Mr. RUSSELL. And not to any other law. We cannot by a limitation on an appropriation bill repeal the Smith-Connally Act, we cannot repeal the Second War Powers Act, or any other act, we cannot repeal the amendment I offered to the selective-service law, giving the President power to take over businesses in certain cases. The President could still take over the railroads in the event there was any strike, but I do not think we should turn this agency loose to go around threatening to take over private business if such business or industry refuses to submit to its dictates. The penalty of cancelation of their contracts is certainly severe enough. This should be made perfectly clear in the rules and regulations promulgated by this organization. The President has given them unlimited power to promulgate all rules and regulations they think necessary, and I think the Congress, in passing on

this matter, should say, "You cannot promulgate a rule that is going to result in taking over private industry in this country for failure to conform to any order the F. E. P. C. may issue as to employment policies of any individual or corporation that is engaged in business in his country."

Mr. BARKLEY. The difficulty which confronts me is that we might create a fear in the mind of some of the employees of this committee, in going out and starting an investigation, lest later on, if the controversy they were investigating, or the discrimination, if one were found to exist, resulted in a strike in a plant, the committee itself, or the person involved, might be charged with having expended money unlawfully, because later on something happened which could not be foreseen, and therefore the law was violated.

Mr. RUSSELL. Mr. President, this committee can promulgate any rule or regulation it sees fit to promulgate, under the terms of the President's Executive order. I shall read the last provision of the order. After ordering that the F. E. P. C. may do this, that and the other, try cases, and so forth, it then says:

*The Committee shall have power to promulgate such rules and regulations as may be appropriate or necessary to carry out the provisions of this order.*

Let them promulgate a rule which will make it absolutely clear that they are not asserting the right to take over plants or to be the motivating factor behind the action of any other agency of the Federal Government in taking over private industry in this country for refusing to obey their decrees, and they will have absolved themselves from this limitation. Is it asking too much, when they claim the power to take a man's contract away from him, to say that this committee shall adopt a rule that they are not going to take away his plant, too, unless he subjects himself to their whim and fancy?

We all know it would have to be a very extreme case before the President would interfere with the action of the Committee in reaching a decision, but when we say they may take a man's contract away from him, we should not go further and say they can take his business away unless he is willing to conform to any rule or regulation which this Committee might promulgate, or any order which might be issued.

I certainly think that business in this country is entitled to the protection at least of not having physical properties taken away at the behest of this agency. We have approved the claim of right to take a contract away from business, and I am not offering any amendment which would deny the right to have contracts canceled and I do not propose to do so, but I do think the Senate should approve an amendment which would prevent this Committee from setting in motion any power which would result in taking away the private property of any person, firm, or corporation in the United States.

Mr. MEAD. Mr. President, I hesitate to prolong the discussion. I am not sure what the consequences of the adoption of the pending amendment would be. It occurs to me however that its adoption would be taking somewhat hasty action at this late moment. It occurs to me also that the amendment would limit and restrict the power of the Chief Executive. The amendment therefore ought to be considered later on in connection with the bill which has already been introduced in the House and in the Senate dealing with this subject. I hope, Mr. President, that we will set aside the amendment at this time.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. MAYBANK. It seems to me the Senator from Georgia has quite as much right to offer an amendment to the proposed \$500,000 appropriation for the committee and to have it acted upon at this time in connection with the pending measure, as the Senator from Connecticut [Mr. DANAHY] had to propose an amendment to the pending legislation in the form of the bill now in the House, but which he withdrew a day or so ago.

Mr. MEAD. Mr. President, we are merely dealing with an appropriation for an agency which is already in existence. The legislation introduced by the junior Senator from Connecticut [Mr. DANAHY] has been referred or will be referred to a Senate committee dealing with such legislative matters, and not to the Committee on Appropriations. It can be considered by such a committee, and we will have ample opportunity to present our views. So I hope the amendment will be passed over until we consider the proposed legislation introduced by the junior Senator from Connecticut or some similar bill.

Mr. RUSSELL. Mr. President, I merely wish to say that I think we have taken rather hasty action here in approving of all the rules and regulations that have been issued without any of the Members of this body being apprised as to what they were. If the Senate does not wish to adopt my amendment, which merely provides that the Committee on Fair Employment Practice cannot put in motion the machinery to take over a man's enterprise, without in any way curtailing the right to cancel his contract, it has the right to do so. I feel that I have some responsibility to offer these amendments and to try to see that there is some kind of safeguard or some legislative standard, and any that we may impose will be mild enough because I know how Senators feel about the matter. I certainly think the very least the Congress can do is to make a declaration that we do not believe that any person should be deprived of his private property, his mill, or his factory or his store simply because he refuses to obey an order issued by this agency. Certainly such a penalty would be too extreme.

Mr. BARKLEY. Mr. President, I do not wish to discuss the amendment. I simply rose to urge Senators to remain a little later than usual, if necessary, in order to dispose of the pending bill. A

number of appropriation bills are as yet undisposed of. There is important legislation which it is necessary to be disposed of, and I hope Senators will not be in a hurry to leave the Chamber until we have disposed of the pending bill and other matters that the Senator from Tennessee [Mr. McKELLAR], as acting chairman of the Appropriations Committee, is anxious to bring before the Senate and have disposed of. I do not care to delay a vote on this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL]. [Putting the question.] The Chair is in doubt.

Mr. RUSSELL. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the junior Senator from California [Mr. DOWNEY] and will vote. I vote "nay."

The roll call was concluded.

Mr. DAVIS. I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. I transfer that pair to the junior Senator from Wisconsin [Mr. WILEY], and will vote. I vote "nay."

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senators from Nevada [Mr. McCARRAN] and Mr. SCRUGHAM are absent on official business.

The Senator from Florida [Mr. ANDREWS], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Missouri [Mr. CLARK], the Senator from Rhode Island [Mr. GREEN], the Senator from Arizona [Mr. HAYDEN], the Senator from Indiana [Mr. JACKSON], the Senator from South Carolina [Mr. SMITH], the Senator from Maryland [Mr. RADCLIFFE], the Senator from Missouri [Mr. TRUMAN], the Senator from Maryland [Mr. TYDINGS], and the Senator from Montana [Mr. WHEELER] are detained on public business.

The Senator from California [Mr. DOWNEY] is absent on official business for the Senate.

The Senators from North Carolina [Mr. BAILEY] and Mr. REYNOLDS and the Senator from Texas [Mr. O'DANIEL] are necessarily absent.

The Senator from Alabama [Mr. BANKHEAD] is detained in a committee meeting.

I also announce that the Senator from South Carolina [Mr. SMITH] is paired with the Senator from Indiana [Mr. JACKSON]; and the Senator from Florida [Mr. ANDREWS] is paired with the Senator from Nevada [Mr. McCARRAN]. I am advised that if present and voting, the Senator from South Carolina and the Senator from Florida would vote

"yea," and that the Senator from Indiana and the Senator from Nevada would vote "nay."

I am advised that if present and voting, the Senator from Rhode Island [Mr. GREEN], the Senator from California [Mr. DOWNEY], and the Senator from Wisconsin [Mr. LA FOLLETTE] would vote "nay."

I further announce that the Senator from Virginia [Mr. GLASS] has a general pair with the Senator from Vermont [Mr. AUSTIN]; and the Senator from Arizona [Mr. HAYDEN] has a general pair with the Senator from North Dakota [Mr. NYE].

Mr. WHERRY. The Senator from New Hampshire [Mr. BRIDGES] has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from North Dakota [Mr. NYE] has a general pair with the Senator from Arizona [Mr. HAYDEN].

The Senator from Delaware [Mr. BUCK] has a pair with the Senator from Texas [Mr. O'DANIEL].

The Senator from Vermont [Mr. AUSTIN] has a general pair with the Senator from Virginia [Mr. GLASS].

The Senator from Ohio [Mr. TAFT] is necessarily absent. If present he would vote "yea."

The Senator from Illinois [Mr. BROOKS], the Senator from North Dakota [Mr. LANGER], the Senator from New Hampshire [Mr. TOBEY], the Senator from Idaho [Mr. THOMAS], the Senator from Iowa [Mr. WILSON], the Senator from New Jersey [Mr. HAWKES], the Senator from Oklahoma [Mr. MOORE], and the Senator from Connecticut [Mr. DANAHY] are necessarily absent.

The result was announced—yeas 27, nays 25, as follows:

#### YEAS—27

Blibo	Gerry	Maybank
Butler	Gillette	O'Mahoney
Byrd	Gurney	Overton
Connally	Hatch	Reed
Cordon	Hill	Revercomb
Eastland	Holman	Russell
Ellender	Johnson, Colo.	Stewart
Ferguson	McClellan	Wherry
George	McKellar	White

#### NAYS—25

Aiken	Lucas	Tunnell
Bali	McFarland	Vandenberg
Barkley	Maloney	Wagner
Burton	Mead	Wallgren
Capper	Murdock	Walsh, Mass.
Chavez	Murray	Walsh, N. J.
Davis	Pepper	Willis
Guffey	Thomas, Okla.	
Kilgore	Thomas, Utah	

#### NOT VOTING—44

Andrews	Downey	Reynolds
Austin	Glass	Robertson
Bailey	Green	Scrugham
Bankhead	Hawkes	Shipstead
Bone	Hayden	Smith
Brewster	Jackson	Taft
Bridges	Johnson, Calif.	Thomas, Idaho
Brooks	La Follette	Tobey
Buck	Langer	Truman
Bushfield	McCarran	Tydings
Caraway	Millikin	Weeks
Chandler	Moore	Wheeler
Clark, Idaho	Nye	Wiley
Clark, Mo.	O'Daniel	Wilson
Danaher	Radcliffe	

So Mr. RUSSELL'S amendment was agreed to.

Mr. RUSSELL. Mr. President, I offer another amendment which I send to the desk and ask to have stated.



The PRESIDING OFFICER. The amendment offered by the Senator from Georgia will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following: "Provided further, That no part of the funds herein appropriated shall be used to pay the compensation of any person employed by said Committee on Fair Employment Practice who issues or attempts to enforce any rule, regulation, or order which repeals, amends, or modifies any law enacted by Congress."

Mr. RUSSELL. Mr. President, I am sure there can be no controversy over this amendment. At the very least there should be a limitation on the powers of the Committee prohibiting it from asserting the power to modify, amend, or repeal any act of Congress. That is all this amendment provides. No person shall be paid from this appropriation if he attempts to pursue any proceeding which would amend, modify, or repeal any act of Congress.

Mr. BALL. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BALL. Does the Senator know of any case in which the Committee has asserted such authority?

Mr. RUSSELL. In my judgment, it asserts that authority when it undertakes to compel the low bidder on a contract required to be let in accordance with statutory law to conform to requirements other than those imposed by the Congress. That is a question which would have to be determined by another Government authority; but, in my judgment, when F. E. P. C. undertakes to review, change, or alter acts of Congress in the matter of letting contracts by superimposing upon the congressional act some requirements of its own, that amounts to a modification or repeal of an act of Congress. I do not believe that any creature of Congress—now that we have adopted the Committee on Fair Employment Practice—should have the authority or power to do anything in derogation of a solemn act of Congress. That is the purpose of the amendment.

Mr. BALL. Mr. President, will the Senator further yield?

Mr. RUSSELL. I yield.

Mr. BALL. Is it the Senator's contention that the section in the President's Executive order ordering procurement agencies to insert a clause in Government contracts requiring no discrimination because of race, color, or creed is a violation of any act of Congress?

Mr. RUSSELL. That is a matter of opinion. In my opinion, it is, in the case of contracts required by law to be let to the lowest bidder. Congress has enacted a law which very specifically and carefully deals with the question of awarding contracts to the lowest bidder. As I understand, there is nothing in that act which would require the contractor to submit himself to the orders of the Committee on Fair Employment Practice before being awarded a contract on a low bid. Some other authority may rule differently, but in my judgment that is an action of an agency which would have the effect of modifying or repealing an act of Congress.

Mr. BALL. Then, is it the purpose of the Senator's amendment to take away from the Committee any right to apply pressure through a procurement agency on any corporation having a Government contract, to correct what the Committee considers to be a bad practice?

Mr. RUSSELL. No; that is not a fair statement, because 85 or 90 percent of the contracts now being awarded are being let on some other basis than that of the lowest bidder. The amendment would not prevent the Committee from applying any other pressure that might be at its disposal to force a contracting party to submit himself to this agency. However, it would provide that the Committee may not establish a new requirement which goes beyond those prescribed by Congress in making a contract to be awarded to the lowest bidder. According to my interpretation, it is confined to that class of cases.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL].

The amendment was agreed to.

Mr. RUSSELL. Mr. President, I have one further amendment. I do not care to discuss it at length. I assume that this amendment will be controversial. However, I wish to offer it and have a vote on it.

The PRESIDING OFFICER. The amendment offered by the Senator from Georgia will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following: "Provided, That no part of the funds herein appropriated shall be used to pay the compensation of any person who initiates, investigates, or prosecutes any proceeding against an employer and a labor union to amend or abrogate an existing contract between such employer and such labor union."

Mr. RUSSELL. Mr. President, I do not care to belabor the subject. I discussed it at some length last Friday. A reading of the amendment will make its purpose perfectly clear. The purpose is to make sure that this agency has not the authority to disturb or abrogate an existing contract between two private contracting parties. That is the effect of it. If a contract expires, or if no contract is in being, the agency could proceed. I wish to be perfectly fair to all Members of the Senate. The purpose of the amendment is to deny to the Committee on Fair Employment Practice the right to repeal or modify an existing contract which is not otherwise illegal, entered into in good faith between a labor union and an employer.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CHAVEZ. I can go along with the Senator from Georgia on many things, but I will not go along with him in supporting an amendment which has for its purpose carrying out the caprice of any labor union when it is engaged in doing something which is un-American.

Mr. President, I have been carrying the torch for labor unions for years, but some of them are just as bad as any

businessman or any corporation which dares to oppress the one who toils. I will not vote for any amendment to preserve the sanctity of a contract which to my mind represents an un-American effort by a labor union to use discrimination. I know something about labor unions. As I have said, in my State I have dared to speak in their favor when no one else would do so, when it was unpopular to speak in their favor. But I know of some labor unions which are just as un-American as some of the large corporations which are oppressing those who sweat and toil. I know of some labor unions which would not permit an Italian to belong to them. I know of some labor unions which would not permit persons of some other nationalities to belong to them. I know of some unions which would not let your son or my son be an apprentice to a carpenter or to a machinist. I will not vote for an amendment which would not limit such activities by labor unions which have been just as subversive of the rights of Americans as have the activities of anyone else who could oppress labor.

Mr. MURDOCK. Mr. President, I wish to make the brief observation that in my opinion the Senate very bravely marched up the hill by voting for the appropriation for the Committee, and in my opinion, the Senate, by means of what I think are these rather subtle amendments, is voting to march down the hill.

Mr. RUSSELL. Mr. President, I wish to make it clear that the amendment would not in anywise limit the power of the Committee to deal with a labor union as such or an employer as such. It would prevent the Committee from asserting the power to abrogate a contract already in existence.

I do not care to argue the question. As I have stated heretofore, that is the purpose of the amendment. I hope it will have that effect if it is adopted by the Senate.

I may say, in answer to the remarks of the Senator from Utah, that these amendments were frankly designed to provide some modest limitations on the power of the Committee.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MURDOCK. It seems to me that the distinguished Senator from Georgia has gone so far afield from the two small sections of the President's order that he simply does not recognize what we are legislating upon. At least, I cannot see any application or any relationship at all between the Senator's amendments and the order of the President.

If the Senator will indulge me a little further, I should like to read the two parts of the order which are at all important. The first is:

All contracting agencies of the Government of the United States shall include in all contracts hereafter negotiated or renegotiated by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin.

The order also would require the contractor to include a similar provision in all subcontracts.

The other part is as follows:

All departments and agencies of the Government of the United States concerned with vocational and training programs for war production shall take all measures appropriate to insure that such programs are administered without discrimination because of race, creed, color, or national origin.

The amendments which the Senate has adopted, after voting the appropriation, have to do with the seizure of plants and the taking over of businesses which have nothing at all to do, in my opinion, with the Executive order promulgated by the President.

Why we should march up the hill and appropriate \$500,000, and then turn around, by means of amendments, and march down again is hard for me to comprehend.

Mr. RUSSELL. Mr. President, I regret that I cannot assume responsibility for the inability of the Senator from Utah to see the purpose of the amendments. But if he has marched up the hill, and if the amendment does not mean anything, its adoption will not mean that the Senate is marching down the hill. If no one proposed to take over private plants under the powers this Committee is asserting, the amendment could not hurt a thing on earth. It could not injure the Committee in its work in any way at all.

But every amendment I have offered has been directed at some specific action the Committee has been taking, as disclosed by the hearings in the House and in the Senate. I have not offered the amendments merely for the pleasure of offering them. I am apprehensive lest this agency might undertake to have plants seized by Federal authority in this country, in cases in which employers refuse to submit themselves to the dictates of the Committee. If the Committee has no such intention, the amendment cannot hurt it in the slightest degree.

Mr. MURDOCK. Mr. President, will the Senator further yield?

Mr. RUSSELL. I yield.

Mr. MURDOCK. I certainly do not wish to charge my distinguished friend, the Senator from Georgia, with ever offering an amendment which is not effective and which has no purpose. What I wish to charge him with is offering amendments which will destroy the effect of the action taken by the Senate earlier today.

Mr. RUSSELL. Mr. President, I thank the Senator for the compliment he pays me when he says the effect of the amendment will be to destroy the power of the F. E. P. C.

Mr. MURDOCK. The Senator's very purpose in offering the first amendment was to destroy the Committee. The Senator has not been successful in that respect.

In my opinion the Senator has been successful in greatly curtailing and, I think, destroying the activities of the Committee, by what has been adopted by way of amendment.

Mr. RUSSELL. I hope the amendments will curtail the activities of the

Committee so that it will not be able to seize private enterprise in this country. I hope it will have that effect.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from New Mexico.

Mr. CHAVEZ. My objections to the pending amendment are fundamental. There is no doubt whatever in my mind as to what the Senator from Georgia has in mind with reference to trying to prevent the committee from doing something which he thinks should not be done. I am positive of that. But the amendment will effect a situation which I shall now describe. In my State the Government has a contract for the building of an air base. The contractor who is building the air base has a contract with a union to furnish labor on the Government contract.

The viciousness of the pending amendment, as I see it, is that the unions have not and will not permit an American citizen go to work on the air base unless he first pays tribute to the union. That is the kind of contract the Senator's amendment would protect.

Mr. RUSSELL. Oh, no; the Senator misunderstands the effect of the amendment.

Mr. CHAVEZ. That is the way I understand the Senator's amendment.

Mr. RUSSELL. But the Senator misinterprets the amendment.

Mr. CHAVEZ. Possibly I do. Everything which has been said against unions during the debate has been said about the C. I. O. But I know other unions which would not permit a person to do a little work in connection with the war effort unless he belonged to that particular union.

The Senator's amendment would protect a contract by which it would be necessary for a poor citizen of this country to pay tribute to a union. Unless he paid tribute to the laborer's union or the carpenter's union, he could not work. I think the F. E. P. C. should take care of a matter of that kind.

Mr. RUSSELL. No, Mr. President; the amendment has nothing to do with a matter of that kind. The F. E. P. C. has no right to declare an open shop anywhere, so far as I know. If it did have such a right, it would run head-on into the War Labor Board.

Mr. CHAVEZ. But the amendment would protect the closed shop. I do not think the closed shop should be permitted in plants working in the war effort.

Mr. RUSSELL. I do not have any war industry in mind. I might say I had in mind a contract which has been entered into on a basis of years—I do not recall how many—between the southern railroads and the railroad brotherhoods. I have also some ideas that the question involved here is rather fundamental. I have always thought that a contract which was otherwise legal was something which should not be set aside for any light reasons, but that there should be sound and substantial reasons for the cancellation or setting aside of a contract.

All Senators know how they are going to vote on this question. I shall not discuss it further. The amendment would

not have the effect stated by the Senator from New Mexico. It would only preserve the sanctity of existing contracts. That is its effect.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL].

SEVERAL SENATORS. Vote.

Mr. MEAD. Mr. President, again I invite the attention of my colleagues of the Senate to this rather extraordinary performance. More than ever I believe that these legislative amendments should be taken up in their regular order before a legislative committee, when an appropriate bill is under consideration. This is no time for the consideration of amendments which are as far-reaching as the amendments which we are considering.

I agree with the junior Senator from Utah [Mr. MURDOCK], who explained that we voted for the appropriation for the Committee on Fair Employment Practice, and gave it a substantial majority. We then turned around and voted against the same Committee.

Mr. President, I say this is an extraordinary performance on the part of the Senate. In my judgment, this Committee will be unable to take any action during the life of an existing contract. The proposal, I believe, would prevent consideration of all cases where contracts are in effect. Even if the employees should request the Committee the pending proposal would prevent any action of the Committee to correct what admittedly is an injustice should a party to the contract hold contrary views.

Mr. President, I believe we should be consistent with our original position, and if we are in favor of this Committee we should give it a chance to function.

Mr. RUSSELL. Mr. President, I wish to correct one statement of the Senator from New York. He said that the Committee would be prevented from operating even if it were invited to do so. The amendment provides that the Committee cannot initiate any proceeding.

Mr. MEAD. Mr. President, I still believe that in a case where one party to the contract insisted on carrying out the provisions of the contract the Committee would be without jurisdiction.

SEVERAL SENATORS. Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL]. [Putting the question.] The Chair is in doubt.

Mr. LUCAS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the junior Senator from California [Mr. Downey], and will vote. I vote "nay."

The roll call was concluded.

Mr. DAVIS (after having voted in the negative). Announcing the transfer of my pair as on the previous vote, I will allow my vote to stand.

Mr. HILL. I announce that the Senator from Washington [Mr. Bone] and



the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM] are absent on official business.

The Senator from Florida [Mr. ANDREWS], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senators from Missouri [Mr. CLARK and Mr. TRUMAN], the Senator from Rhode Island [Mr. GREEN], the Senator from Arizona [Mr. HAYDEN], the Senator from Indiana [Mr. JACKSON], the Senators from Maryland [Mr. RADCLIFFE and Mr. TYDINGS], the Senator from South Carolina [Mr. SMITH], and the Senator from Montana [Mr. WHEELER] are detained on public business.

The Senators from North Carolina [Mr. BAILEY and Mr. REYNOLDS] and the Senator from Texas [Mr. O'DANIEL] are necessarily absent.

The Senator from California [Mr. DOWNEY] is absent on official business for the Senate.

I am advised that if present and voting, the Senator from Rhode Island [Mr. GREEN], the Senator from California [Mr. DOWNEY], and the Senator from Wisconsin [Mr. LA FOLLETTE] would vote "nay."

The Senator from South Carolina [Mr. SMITH] is paired with the Senator from Indiana [Mr. JACKSON]; and the Senator from Florida [Mr. ANDREWS] is paired with the Senator from Nevada [Mr. McCARRAN]. I am advised that if present and voting, the Senator from South Carolina and the Senator from Florida would vote "yea", and that the Senator from Indiana and the Senator from Nevada would vote "nay."

I also announce that the Senator from Virginia [Mr. GLASS] has a general pair with the Senator from Vermont [Mr. AUSTIN]; and the Senator from Arizona [Mr. HAYDEN] has a general pair with the Senator from North Dakota [Mr. NYE].

Mr. WHERRY. The Senator from New Hampshire [Mr. BRIDGES] has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from North Dakota [Mr. NYE] has a general pair with the Senator from Arizona [Mr. HAYDEN].

The Senator from Delaware [Mr. BUCK] has a pair with the Senator from Texas [Mr. O'DANIEL].

The Senator from Vermont [Mr. AUSTIN] has a general pair with the Senator from Virginia [Mr. GLASS].

The Senator from Ohio [Mr. TAFT], the Senator from Illinois [Mr. BROOKS], the Senator from North Dakota [Mr. LANGER], the Senator from New Hampshire [Mr. TOBEY], the Senator from Idaho [Mr. THOMAS], the Senator from Iowa [Mr. WILSON], the Senator from New Jersey [Mr. HAWKES], the Senator from Oklahoma [Mr. MOORE], and the Senator from Connecticut [Mr. DANAHER] are necessarily absent.

The result was announced—yeas 22, nays 31, as follows:

## YEAS—22

Bankhead	Gurney	Reed
Bilbo	Hill	Revercomb
Butler	Holman	Russell
Byrd	Johnson, Colo.	Stewart
Connally	McClellan	Wherry
Eastland	McKellar	White
Ellender	Maybank	
George	Overton	

## NAYS—31

Aiken	Guffey	Thomas, Okla.
Ball	Hatch	Thomas, Utah
Barkley	Kilgore	Tunnell
Brewster	Lucas	Vandenberg
Burton	McFarland	Wagner
Capper	Maloney	Wallgren
Chavez	Mead	Walsh, Mass.
Davis	Murdock	Walsh, N. J.
Ferguson	Murray	Willis
Gerry	O'Mahoney	
Gillette	Pepper	

## NOT VOTING—43

Andrews	Glass	Robertson
Austin	Green	Scrugham
Bailey	Hawkes	Shipstead
Bone	Hayden	Smith
Bridges	Jackson	Taft
Brooks	Johnson, Calif.	Thomas, Idaho
Buck	La Follette	Tobey
Bushfield	Langer	Truman
Caraway	McCarran	Tydings
Chandler	Millikin	Weeks
Clark, Idaho	Moore	Wheeler
Clark, Mo.	Nye	Wiley
Cordon	O'Daniel	Wilson
Danaher	Radcliffe	
Downey	Reynolds	

So Mr. RUSSELL's amendment was rejected.

Mr. RUSSELL. Mr. President, I now desire to call up an amendment which I had printed a few days ago.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 10, line 16, after the figures "\$500,000", it is proposed to insert a colon and the following: "Provided, That not more than 25 percent of the part of this appropriation which is used for the payment of compensation for personal services shall be used for the payment of compensation of persons who are members of any race comprising less than 15 percent of the total population of the United States, according to the 1940 census."

Mr. RUSSELL. Mr. President, I do not care to discuss the amendment. In my remarks on Friday last relating to the proposal before the Senate I pointed out that under the order of the President, the agency involved was to go into the Federal departments and see that there was no discrimination in employment on account of race, color, creed, or ancestry. In my opinion the Committee has been most successful in carrying out the provision of the President's order.

It developed, however, that more than two-thirds of the personnel of the agency were Negroes. Certainly an agency which was established to prevent discrimination should not discriminate in such a manner as that. The Negro population of the United States is slightly less than 10 percent of the total, and, as I stated, approximately 66 percent of the employees of this agency are Negroes. This amendment would allow 25 percent Negroes, which is two and a half times

the percentage of the Negro population according to the last census.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL].

Mr. RUSSELL. I ask for the yeas and nays.

The yeas and nays were ordered, and the Legislative Clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). I repeat the transfer of my pair as on the last vote, and will vote. I vote "nay."

The roll call was concluded.

Mr. DAVIS. I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER], which I transfer to the senior Senator from Ohio [Mr. TAFT], who would vote as I am about to vote. I am therefore free to vote. I vote "nay."

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM] are absent on official business.

The Senator from Florida [Mr. ANDREWS], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senators from Missouri [Mr. CLARK and Mr. TRUMAN], the Senator from Rhode Island [Mr. GREEN], the Senator from Arizona [Mr. HAYDEN], the Senator from Indiana [Mr. JACKSON], the Senators from Maryland [Mr. RADCLIFFE and Mr. TYDINGS], the Senator from South Carolina [Mr. SMITH], and the Senator from Montana [Mr. WHEELER], are detained on public business. I am advised that if present and voting, the Senator from Arkansas [Mrs. CARAWAY] would vote "yea."

The Senators from North Carolina [Mr. BAILEY and Mr. REYNOLDS], the Senator from Iowa [Mr. GILLETTE], and the Senator from Texas [Mr. O'DANIEL] are necessarily absent. I am advised that if present and voting, the Senator from North Carolina [Mr. BAILEY] would vote "yea."

The Senator from California [Mr. DOWNEY] is absent on official business for the Senate.

I am advised that if present and voting, the Senator from Rhode Island [Mr. GREEN], the Senator from California [Mr. DOWNEY], and the Senator from Wisconsin [Mr. LA FOLLETTE] would vote "nay."

The Senator from South Carolina [Mr. SMITH] is paired with the Senator from Indiana [Mr. JACKSON]; and the Senator from Florida [Mr. ANDREWS] is paired with the Senator from Nevada [Mr. McCARRAN]. I am advised that if present and voting, the Senator from South Carolina and the Senator from Florida would vote "yea," and that the Senator from Indiana and the Senator from Nevada would vote "nay."

I also announce that the Senator from Virginia [Mr. GLASS] has a general pair with the Senator from Vermont [Mr.

AUSTIN]; and the Senator from Arizona [Mr. HAYDEN] has a general pair with the Senator from North Dakota [Mr. NYE].

Mr. WHERRY. The Senator from New Hampshire [Mr. BRIDGES] has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from North Dakota [Mr. NYE] has a general pair with the Senator from Arizona [Mr. HAYDEN].

The Senator from Delaware [Mr. BUCK] has a pair with the Senator from Texas [Mr. O'DANIEL].

The Senator from Vermont [Mr. AUSTIN] has a general pair with the Senator from Virginia [Mr. GLASS].

I announce the necessary absence of the Senator from Ohio [Mr. TAFT], the Senator from Illinois [Mr. BROOKS], and the Senator from Connecticut [Mr. DANAHY]. These Senators would vote "nay."

The Senator from North Dakota [Mr. LANGER], the Senator from New Hampshire [Mr. TOBEY], the Senator from Idaho [Mr. THOMAS], the Senator from Iowa [Mr. WILSON], the Senator from New Jersey [Mr. HAWKES], the Senator from Oklahoma [Mr. MOORE], and the Senator from Wyoming [Mr. ROBERTSON], and the Senator from Wisconsin [Mr. WILEY] are necessarily absent.

The result was announced—yeas 15, nays 37, as follows:

YEAS—15		
Bankhead	Eastland	McKellar
Bilbo	Ellender	Maybank
Butler	George	Overton
Byrd	Hill	Russell
Connally	McClellan	Stewart

  

NAYS—37		
Aiken	Hatch	Thomas, Okla.
Ball	Holman	Thomas, Utah
Barkley	Johnson, Colo.	Tunnell
Brewster	Kilgore	Vandenberg
Burton	Lucas	Wagner
Capper	McFarland	Wallgren
Chavez	Maloney	Walsh, Mass.
Cordon	Mead	Walsh, N. J.
Davis	Murdock	Weeks
Ferguson	Murray	Wherry
Gerry	O'Mahoney	White
Guffey	Pepper	
Gurney	Revercomb	

  

NOT VOTING—44		
Andrews	Glass	Reynolds
Austin	Green	Robertson
Bailey	Hawkes	Scruggam
Bone	Hayden	Shipstead
Bridges	Jackson	Smith
Brooks	Johnson, Calif.	Taft
Buck	La Follette	Thomas, Idaho
Bushfield	Langer	Tobey
Caraway	McCarran	Truman
Chandler	Millikin	Tydings
Clark, Idaho	Moore	Wheeler
Clark, Mo.	Nye	Wiley
Danahy	O'Daniel	Willis
Downey	Radcliffe	Wilson
Gillette	Reed	

So Mr. RUSSELL's amendment was rejected.

Mr. MAYBANK. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

Mr. BARKLEY. Mr. President, will the Senator from South Carolina yield to me for a moment?

Mr. MAYBANK. I yield.

Mr. BARKLEY. Only 52 Senators voted on the last yeas-and-nays vote. That is only two more than a quorum. I know how important it is that Senators be elsewhere now and then, but I urge Senators

to remain on the floor in order that we may conclude action on the pending legislation before we recess today. Certainly final action on the measure ought not to go over until tomorrow, in view of the legislative situation, and I am sure it will not be a great hardship on Senators to remain so that we shall not find ourselves without a quorum.

The PRESIDING OFFICER. The amendment offered by the Senator from South Carolina will be stated.

The CHIEF CLERK. On page 10, line 16, after "\$500,000" it is proposed to insert a colon and the following: "Provided, That the Committee on Fair Employment Practice shall make a study of wages payable in plants owned or operated by any department or agency of the Government, and in the event it finds there is any discrimination in wages paid in such plants as between different sections or areas of the country, the committee shall so advise the departments or agencies concerned and it shall thereupon be the duty of such departments or agencies to remove such discrimination against any section or area."

Mr. MAYBANK. Mr. President, I do not think it is necessary to say anything concerning the amendment. It speaks for itself.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Carolina.

Mr. MAYBANK. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Guffey	Pepper
Ball	Gurney	Reed
Bankhead	Hatch	Revercomb
Barkley	Hill	Russell
Bilbo	Holman	Stewart
Brewster	Johnson, Colo.	Thomas, Okla.
Burton	Kilgore	Thomas, Utah
Butler	Lucas	Tunnell
Capper	McClellan	Vandenberg
Chavez	McFarland	Wagner
Cordon	McKellar	Wallgren
Davis	Maloney	Walsh, Mass.
Eastland	Maybank	Walsh, N. J.
Ellender	Mead	Weeks
Ferguson	Murdock	Wherry
George	Murray	White
Gerry	O'Mahoney	Willis

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. MAYBANK].

Mr. MAYBANK. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). Repeating my announcement on the last vote, I transfer my pair with the Senator from New Hampshire [Mr. BRIDGES] to the Senator from California [Mr. DOWNEY] and will vote. I vote "nay."

The roll call was concluded.

Mr. DAVIS (after having voted in the negative). Announcing my general pair with the junior Senator from Kentucky

[Mr. CHANDLER], I transfer that pair to the junior Senator from Wisconsin [Mr. WILEY], and allow my vote to stand.

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY] is absent on official business for the Senate.

The Senator from Florida [Mr. ANDREWS], the Senator from Arkansas [Mr. CARAWAY], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senators from Missouri [Mr. CLARK and Mr. TRUMAN], the Senator from Rhode Island [Mr. GREEN], the Senator from Arizona [Mr. HAYDEN], the Senator from Indiana [Mr. JACKSON], the Senators from Maryland [Mr. RADCLIFFE and Mr. TYDINGS], the Senator from South Carolina [Mr. SMITH], and the Senator from Montana [Mr. WHEELER] are detained on public business.

The Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM] are absent on official business.

The Senators from North Carolina [Mr. BAILEY and Mr. REYNOLDS], the Senator from Iowa [Mr. GILLETTE], and the Senator from Texas [Mr. O'DANIEL] are necessarily absent.

Mr. WHERRY. The Senator from New Hampshire [Mr. BRIDGES] has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from North Dakota [Mr. NYE] has a general pair with the Senator from Arizona [Mr. HAYDEN].

The Senator from Delaware [Mr. BUCK] has a pair with the Senator from Texas [Mr. O'DANIEL].

The Senator from Vermont [Mr. AUSTIN] has a general pair with the Senator from Virginia [Mr. GLASS].

The Senator from Ohio [Mr. TAFT], the Senator from Illinois [Mr. BROOKS], the Senator from Connecticut [Mr. DANAHY], the Senator from North Dakota [Mr. LANGER], the Senator from New Hampshire [Mr. TOBEY], the Senator from Idaho [Mr. THOMAS], the Senator from Iowa [Mr. WILSON], the Senator from New Jersey [Mr. HAWKES], the Senator from Oklahoma [Mr. MOORE], the Senator from Wyoming [Mr. ROBERTSON], and the Senator from Wisconsin [Mr. WILEY] are necessarily absent.

The result was announced—yeas 17, nays 34, as follows:

YEAS—17		
Bilbo	Hill	Murdock
Chavez	Kilgore	Murray
Eastland	McClellan	Pepper
Ellender	McFarland	Russell
George	McKellar	Stewart
Hatch	Maybank	

  

NAYS—34		
Aiken	Guffey	Tunnell
Ball	Gurney	Vandenberg
Bankhead	Holman	Wagner
Barkley	Johnson, Colo.	Wallgren
Brewster	Lucas	Walsh, Mass.
Burton	Maloney	Walsh, N. J.
Butler	Mead	Weeks
Capper	O'Mahoney	Wherry
Cordon	Reed	White
Davis	Revercomb	Willis
Ferguson	Thomas, Okla.	
Gerry	Thomas, Utah	



## NOT VOTING—45

Andrews	Downey	Overton
Austin	Gillette	Radcliffe
Ballley	Glass	Reynolds
Bone	Green	Robertson
Bridges	Hawkes	Scrugham
Brooks	Hayden	Shipstead
Buck	Jackson	Smith
Bushfield	Johnson, Calif.	Taft
Byrd	La Follette	Thomas, Idaho
Caraway	Langer	Tobey
Chandler	McCarran	Truman
Clark, Idaho	Millikin	Tydings
Clark, Mo.	Moore	Wheeler
Connally	Nye	Wiley
Danaher	O'Daniel	Wilson

So Mr. MAYBANK's amendment was rejected.

Mr. VANDENBERG. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 29, after line 19, it is proposed to insert:

## COMMITTEE FOR CONGESTED PRODUCTION AREAS

Salaries and expenses: For all expenses necessary to enable the Committee for Congested Production Areas to carry out the functions vested in it by Executive Order 9327, including travel expenses (not to exceed \$48,000); printing and binding (not to exceed \$2,550); purchase of newspapers and periodicals (not to exceed \$600); the employment of State, county, or municipal officials and employees, with or without compensation; and the temporary employment of persons or organizations, by contract or otherwise, without regard to section 3709 of the Revised Statutes and the civil service and classification laws (not to exceed \$15,000); \$669,000.

Mr. RUSSELL. Mr. President, the amendment offered by the distinguished senior Senator from Michigan is not yet in order. We have not concluded action on the section which is now pending, as I understand.

Mr. VANDENBERG. I made inquiry at the desk and was advised that my amendment is in order.

Mr. RUSSELL. I did not make any point of order against it. I merely understood that consideration of the amendments in the section now before the Senate had not been concluded.

The PRESIDING OFFICER. The Chair understands that all the committee amendments have been disposed of, except for the one which was reconsidered. So the amendment of the Senator from Michigan is in order.

Mr. MAYBANK. Mr. President, will the distinguished senior Senator from Michigan yield to me for a moment?

Mr. VANDENBERG. For what purpose?

Mr. MAYBANK. For the purpose of first suggesting that I am in thorough agreement with the amendment of the Senator from Michigan, and I am glad he offered it. But there are pending two amendments which I have had printed and which have been on the desks of Senators for 3 days. I am certain the Senator from Michigan would not object to having me call up one of those amendments. One of them is similar to the amendment of the Senator from Georgia [Mr. RUSSELL], which was rejected by a vote of 22 to 31. And, of course, I shall not request that it be considered. But the other relates to volun-

teer workers. I shall ask that it be considered.

Mr. VANDENBERG. Mr. President, I am sure the Senator will not object to having my amendment considered at this time, because it relates to the same matter.

Mr. McCLELLAN. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. If we now proceed to consideration of the amendment of the Senator from Michigan, which is not applicable to the section we have been considering, then that section of the bill is open to further amendment; is it not?

The PRESIDING OFFICER. The paragraph relating to F. E. P. C. will be open to further amendment.

Mr. McCLELLAN. The paragraph we have been considering will be open to further amendment, after the amendment of the Senator from Michigan has been disposed of; will it not?

The PRESIDING OFFICER. That is correct.

Mr. VANDENBERG. Mr. President, the Committee for Congested Production Areas was organized in April 1943 to assist communities in which the influx of war workers had created innumerable problems. The Committee has finished its labors in several of the congested areas in which the problem has ceased to exist. But the problem still exists, emphatically exists, and exists to such a degree that the continued service of the Committee for Congested Production Areas is absolutely indispensable in 13 congested war production centers, namely, Seattle, Wash.; Portland, Oreg.; San Francisco, Calif.; Los Angeles, Calif.; San Diego, Calif.; Beaumont, Tex.; Mobile, Ala.; Key West, Fla.; Charleston, S. C.; Knoxville, Tenn.; Muskegon, Mich.; Detroit, Mich., at Willow Run; and Hampton, near Norfolk, Va. I think the testimony as to each of those congested areas is universal that it is absolutely indispensable to war production that the work of the Committee for Congested Production Areas shall proceed at those points. I know nothing about the sufficiency of the funds which are suggested. I make no pretense of having any information that the amount which is sought to be appropriated is the correct amount, except that it is the amount of the Budget estimate.

I am simply urgently requesting that the matter go to conference. I shall be completely content with any decision the conference makes after it confronts the facts. The trouble is that the case has not had an adequate hearing either in the House or in the Senate. In the Senate, in particular, I think there is a total lack of information. I think the members of the Appropriations Committee would be the first ones to concede that there is a total lack of information regarding this utterly indispensable function.

Therefore, Mr. President, I have offered the amendment in the form which I understand is recommended by the Bureau of the Budget, and I am asking the Senator from Tennessee [Mr. Mc-

KELLAR] to take it to conference for conclusive consideration there, because I am totally confident he will find that the amendment is necessary to the war effort beyond any peradventure.

Mr. McKELLAR. Mr. President, let me say to the Senator that in the committee—

Mr. REED. Mr. President, will the Senator yield to me?

Mr. McKELLAR. I yield.

Mr. REED. Before the Senator from Tennessee commits himself, I desire to make a suggestion or two.

Mr. McKELLAR. Certainly.

Mr. REED. The Senator from Michigan has made a powerful appeal in the absence of all information. As a matter of fact, there was nothing before the Appropriations Committee which carried any conviction that this appropriation was necessary in any way. The requested appropriation is not unlike half a dozen other matters of the same kind. The Secretary of Labor appeared before the committee and requested an appropriation of \$551,000 for a purpose not totally different from that contemplated by the amendment of the Senator from Michigan. That occurred half a dozen times. The Appropriations Committee turned down all such requests.

There was no information before the committee which would justify this appropriation in any degree. If the Senator from Tennessee, who is indefatigable in the discharge of his duties as acting chairman of the Appropriations Committee—and I agree with the Senator from Michigan in his statement to that effect the other day—wishes to take the matter to conference, I have no objection. But at the same time it should be pointed out that the conferees will give the matter very close examination, so as to determine whether there is any necessity for the requested appropriation.

Mr. VANDENBERG. Mr. President, if the Senator from Kansas will permit me to say so, I completely disagree with the statement he made in respect to the presentation of the evidence to the committee in the first place, because I think an adequate statement was made. But if it was not made, I am prepared to call to their feet, on the floor of the Senate, Senators from every one of the 13 communities, to have them assert that it is indispensable to the war effort that this activity should proceed. I do not retract that statement in any single phase.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. HOLMAN. In substantiation of the statement of the Senator from Michigan, let me say that I have received from Portland, Oreg., a number of telegrams to the same effect as that indicated by the Senator from Michigan.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. WHITE. I have the impression, and I ask whether it is a fact, that a subcommittee of the House Committee on Naval Affairs gave very thoughtful consideration to this matter and to related

subjects. I recall that one of the Members of the House of Representatives talked to me at some length, and very earnestly, in behalf of such a proposal as the one the Senator from Michigan has advanced. However, I have no knowledge beyond that.

Mr. REED. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. REED. I do not wish to be understood as undertaking to assert that there is no congestion in any of those areas. As a matter of fact, there is congestion in a number of areas. If we are going to consider the influx of war workers as related to the size of the community, I should point out that my own home town in Kansas would furnish a shining illustration of that situation. At one time the war workers engaged in construction projects there were almost equal to the normal population of the town.

What I say is that there are a number of agencies which have been set up either by Executive order or by action of the departments to take care of these intangible, elusive, mysterious, and more or less nebulous coordinations of the various war efforts. So far as I know, all of them get at least formal support from the departments concerned with their production, and generally without very much knowledge on the part of the departmental officials as to the work they actually do.

Mr. VANDENBERG. Mr. President, there is nothing intangible and nothing elusive about the work done by this Committee in the area with which I am familiar. The city of Muskegon, Mich., which is the source of my particular interest in the matter at the moment, has received \$40,000,000 of new war contracts within the last 3 months. Of necessity the work is concentrated at that point, and it is a very serious question whether the work can continue successfully unless there be a substantial and effective coordination of uncoordinated municipal efforts at the moment at that particular point, and a coordination of many governmental agencies serving the situation. Representatives of the city of Muskegon testify to me that in respect to these contracts it is indispensable to the war effort that the work of the Committee for Congested Production Areas at that point, at least, shall continue. There is nothing elusive about it, and there is nothing which does not challenge the approval of constructive thought.

Mr. McKELLAR. Mr. President, the only testimony which was brought before the committee about this matter was the testimony of Mr. Corrington Gill. The subcommittee, by a divided vote, rejected the proposal, and when it reached the full committee it was rejected by another divided vote. The President has written a letter calling attention to the same facts to which the Senator from Michigan has adverted. For that reason I see no objection to taking the amendment to conference, and we will give it the best consideration we can give it under the facts in our possession.

Mr. VANDENBERG. That is all I can ask of the Senator, and that is what I am asking.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. VANDENBERG].

The amendment was agreed to.

Mr. BARKLEY. Mr. President, there is an amendment on page 14, in line 24, which was heretofore reconsidered. At the time I got the Senate to reconsider the vote on the amendment on June 15 I placed in the RECORD a joint letter from the Secretary of the Navy and the Secretary of War urging the restoration of the appropriation, not to the figures in the House provision, but to the Budget estimate, which amounted to \$15,596,000. That amount represents a little more than a million dollars in excess of the amount carried by the amendment, but it does not represent any increase in employment.

The reason for needing more money for the coming fiscal year, without any increase in personnel, is that the work of the National War Labor Board entails more overtime, for which the Board is obligated to pay. When overtime is disregarded, the amount asked for is less than is available for the current year. The letter from the Secretary of the Navy and the Secretary of War—and I also have a letter from Mr. Davis, Chairman of the National War Labor Board—asked for \$15,596,000, which is only sufficient to enable the agency to preserve its present personnel and pay overtime, which it will be required to pay this year in an amount which is greater than that paid last year because of conditions which then existed.

I have conferred with the Senator from Tennessee, the acting chairman of the committee, and I therefore move, on page 14, line 24, to strike out the figures "\$14,437,300" and insert in lieu thereof "\$15,250,000." That is a little more than \$300,000 less than the Board, the War Department, and the Navy Department feel will be necessary for this year, but in view of the action of the House and the committee I hope the Senator from Tennessee will agree to the amendment.

Mr. McKELLAR. Mr. President, this matter was not considered in the committee on the basis referred to by the Senator from Kentucky, but it was considered on the basis of an increase to 2,543 in the number of employees this year over last year. As I read from the report of the Budget Bureau the number of employees last year was 2,240, and now the number is 2,543, or an increase of approximately 300 employees. The Senator will find that that is the reason why an increased appropriation is requested.

Mr. BARKLEY. I have a letter from Mr. Davis, the Chairman of the National War Labor Board, which I shall not take time to read, which breaks down the amount of the appropriation recommended by the Bureau of the Budget. Later I shall ask to have the letter printed in the RECORD as a part of my remarks, for the benefit of the conferees. The letter states that the requested increase

in funds is not because of an increase in the number of persons employed, but because of an increase in the amount of overtime necessary to be paid due to the longer hours which the present personnel will work.

Mr. McKELLAR. Mr. President, the increase of approximately a million dollars will hardly pay for 300 extra employees. I wish the Senator would reduce the amount to \$15,000,000.

Mr. BARKLEY. I hope the Senator will accept my amendment. The difference between \$15,000,000 and \$15,250,000 is rather inconsequential.

Mr. McKELLAR. I know it is, but I would not want to give the Senator any encouragement as to what the conference will do, and therefore I think it would be better to compromise the whole thing here, without taking it to conference. If the Senator insists upon it, I shall take it to conference under those circumstances.

Mr. BARKLEY. I hope the Senator will take it to conference and do the best he can with it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kentucky to the committee amendment on page 14, line 24.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the letter from the Chairman of the National War Labor Board, to which I previously made reference, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL WAR LABOR BOARD,  
Washington, D. C., June 15, 1944.  
HON. ALBEN W. BARKLEY,  
United States Senate,  
Washington, D. C.

MY DEAR SENATOR BARKLEY: This afternoon you were asked by Senator GEORGE on the floor of the Senate about the National War Labor Board's request for additional funds for the fiscal year 1945 appropriation, in view of the fact that the Board does not propose to increase its present level of personnel during the coming fiscal year. I would like to supply you with the pertinent information regarding this inquiry.

The National War Labor Board requested Congress to appropriate \$15,596,000 for the fiscal year 1945. Of this amount, \$1,904,883 was requested to cover overtime payments required by law. For the fiscal year 1944 Congress appropriated \$14,437,300 for the Board's operations. Of this amount, only \$346,000 was appropriated for overtime payments. Actually, the Board's overtime payments for the fiscal year 1944 exceeded \$346,000, but the Board was able to absorb the difference in view of the fact that the Board was not able to recruit personnel, because of the tight labor market, up to the authorized number until several months after the beginning of the fiscal year. However, we are now fully recruited and could not, during the coming fiscal year, absorb overtime payments from lapsed funds on the same basis as last year.

This can be explained in the following figures:

Congress appropriated for 1944, \$14,437,300.



This included the following amount for overtime payments, \$346,000.

The rest of the overtime payments which the Board was obligated by law to pay was absorbed from lapsed funds for personnel we were not able to recruit at the beginning of the fiscal year.

This year we requested Congress to appropriate \$15,596,000.

This is designed to include the following sum for overtime payments, \$1,904,883.

Thus, the actual amount requested for 1945, less overtime, is \$13,691,117.

This sum is to be compared with the following sum which was appropriated last year, not including overtime, \$14,091,300.

In other words, our request for this year is less by the following amount than appropriated last, with overtime payments excluded, \$400,183.

This fact was pointed out by me at the hearing before the House Appropriations Committee. The pertinent testimony, which appears on page 236 of the transcript of hearings before the House Appropriations Committee, was as follows:

"Mr. DAVIS. Yes, sir; I would be glad to do those things. I would like to say that approximately \$2,000,000 of this \$15,596,000 is for the purpose of overtime payments which we did not have to make last year, and which by act of Congress we have to make this year.

One million nine hundred and four thousand and eight hundred and eighty-three dollars is for the overtime payments.

"The CHAIRMAN. You were given \$346,000. Now, you absorbed the difference, did you?

"Mr. DAVIS. Yes, sir; that is right.

"The CHAIRMAN. And you will make every effort to absorb as much of it as possible this year, I take it?

"Mr. DAVIS. Yes, sir; that is right, but actually, taking into account that approximately \$2,000,000 for overtime payments, our appropriation, the net appropriation of \$13,700,000 is less than we had last year applicable to our actual running expenses, aside from overtime. Do you see what I mean? We are asking here for a total really of \$13,700,000 in comparison with last year when we asked for \$14,091,000. That is almost exactly \$500,000 less."

In addition, you were asked on the floor of the Senate for the break-down for the \$15,596,000 which the National War Labor Board requested in 1945. The transcript of hearings before the House subcommittee of the Committee on Appropriations, page 293, includes the enclosed table which contains the necessary information.

Yours sincerely,

WILLIAM H. DAVIS,  
Chairman.

	Number of employees as of Mar. 15	Cumulative obligations as of Mar. 31	Estimated obligations, fiscal year 1944	Proposed number of employees, 1945	Estimated expenses, 1945
Personal services:					
Per annum.....	2,369	\$4,533,214	\$6,204,493	2,337	\$6,135,680
Per diem.....		763,639	1,045,162		1,097,080
Travel.....		698,665	551,898		1,060,000
Transportation of things.....		3,698	4,367		4,800
Communication services.....		116,050	307,805		252,400
Rents and utility services.....		329,170	458,362		440,400
Printing and binding.....		27,769	36,970		31,300
Miscellaneous contractual services.....		162,618	259,659		224,200
Supplies and materials.....		133,318	158,023		93,600
Equipment.....		92,670	107,235		23,400
Special projects.....		4,226,773	4,903,326		5,041,000
Total.....		11,187,584	14,437,300		14,403,760
Overtime.....					1,190,540
Additional pay for foreign services.....					1,700
Total, departmental and field.....	2,369	11,187,584	14,437,300	2,337	15,596,000

<sup>1</sup> Includes overtime.

Excerpt from hearings before the Subcommittee on Appropriations, House of Representatives, Tuesday, Mar. 18, 1944, p. 293.

**THE PRESIDING OFFICER.** The bill is before the Senate and open to further amendment.

**Mr. MAYBANK.** Mr. President, I offer the amendment which I send to the desk and ask to have stated.

Mr. President, I should like to say with reference to the amendment that I do not think the people should be working for the Government unless they are on the pay roll and unless they take an oath of office. It is not my purpose to ask for a year-and-a-day vote, but I ask the Chair to put the question.

**Mr. BARKLEY.** Does the Senator's amendment mean that if there is someone, either now in this agency, or who might be willing to serve it without compensation, he would be denied the opportunity of doing so?

**Mr. MAYBANK.** That is correct, insofar as looking into and bringing cases against private business or Government agencies is concerned. Very frankly, I believe that the compensation could be small, it might be only a few dollars, so long as the oath of office is taken.

**Mr. BARKLEY.** One of the glories of the conduct of the American people in this war is that in all branches of the service so many persons have been willing to render service to the Government without pay.

**Mr. MAYBANK.** To that I thoroughly agree.

**Mr. BARKLEY.** That applies to the ration boards, to the O. P. A., to the Selective Service, to many departments of the Government which are engaged in war activities, and it is one of the things which I think is to the credit of the American people. When the war is over, and we ascertain the number of people who have been willing to do the best they could, and render service without compensation, it will be a very creditable and to some extent an amazing record.

**Mr. MAYBANK.** If the distinguished majority leader will yield to me on that point, I thoroughly agree with him, and I am happy the Senator brought out that point. My mind goes back to the great work the Senate of the United States did

in preparing this country for war. The Senator mentioned the Selective Service. A law was passed suggesting that the governors of the States appoint, and submit in a constitutional manner to the President of the United States, the names of those to serve on the draft boards, the names of doctors, the names of all who would have to do with the proceedings and activities of the boards.

Likewise under the O. P. A. regulations, the governors of the States were asked to suggest defense counsel. They were constitutionally appointed. They were appointed by the governors of the States, or by the President of the United States, upon the recommendation of one or the other. I am happy that in my short span of life I have been associated with so many volunteers, not only those who volunteered on the ration boards, but others.

When the Congress of the United States by the law it passed asked the governors of the States to submit to the President not only the names of those to serve on the Selective Service boards, but the names of those who volunteered in war work, the governors did so. I thoroughly agree with the distinguished Senator from Kentucky. I had no idea of suggesting an amendment which would in any way reflect on the service to this country in time of war of any individual, and I know that the majority leader did not mean to infer that my amendment would do that.

**Mr. BARKLEY.** Of course, I did not mean that. The point is, why deny people, who are willing an opportunity to serve in connection with the committee now under discussion, any American who is willing to serve without compensation, when we are not taking such action as to any other activity?

**Mr. MAYBANK.** Very frankly, the general police powers of this country and of any State, as the Senator knows, are entirely different from those affecting volunteers on ration boards or in the selective service. While I am not asking for a year and a day vote, I am conscientious in believing that the United States Government has sufficient money to pay those who are supposed to go around and look into complaints of some businessman, or someone else.

**THE PRESIDING OFFICER.** The question is on agreeing to the amendment offered by the Senator from South Carolina.

**Mr. MAYBANK.** One moment, Mr. President. The majority leader brought up the subject of the volunteer work being done by the people of this country, and I am happy he did so. I want to have the record clear. My thought in connection with this is that where investigations under this Committee with police power are ordered, a committee for which \$500,000 is appropriated, they should be undertaken by paid workers or those who have taken the oath of office. We need volunteers to assist in the war effort, but to turn the police powers of the Government of the United States over to individuals who have not taken the oath of office, and who are responsible to

no one except some member of the Fair Employment Practice Committee who may appoint them, is a mistake.

Mr. BARKLEY. I do not wish to delay a vote. I merely raised the question because it seems to me a little unusual that, inasmuch as in all the other agencies, the people are permitted to render service without charging for it, we should make it impossible for anyone to render service in connection with the agency under discussion without paying them.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Carolina [Mr. MAYBANK]. [Putting the question.]

Mr. EASTLAND. I ask for a division.

On a division, the amendment was rejected.

Mr. PEPPER. Mr. President, I ask unanimous consent that I may move to reconsider the vote by which an item was agreed to, and I should like leave to make a brief explanation. It pertains to the appropriation for Federal and State cooperation through the Office of Civilian Defense.

The House of Representatives reduced the appropriation for the Office of Civilian Defense from \$4,700,000 for the year 1944 to \$1,000,000 for the year 1945. However, the House committee stated in its report, on page 11, as follows:

In making the decrease of \$139,000 in the Budget estimates, the committee feels that it has provided the irreducible minimum for a Federal program of leadership in civilian defense considering the lessened danger of attack, but viewing the home-front activities which are carried on by State and local councils and their contribution to the war effort. All danger of coastal attack of some character is not definitely past, and those regions are entitled to and should continue to receive attention.

Mr. President, as I have said, in this item the House of Representatives provided \$538,500 for the Federal-State cooperation program for civilian defense. That is a part of the civilian-defense activity in which the volunteer work of all citizens is coordinated through State and local councils by the Federal Government, through the Office of Civilian Defense.

As I have said, the House of Representatives cut \$100,000 from a Budget estimate of \$638,000, but the House committee said, in making the cut, that that was, in its opinion, the irreducible minimum, in fairness to the public interest being served by this agency.

The Senate Committee on Appropriations took action, which has been ratified already by the Senate, cutting another 25 percent off the appropriation, bringing it down to \$403,000. I know that the officials of the Civilian Defense Agency, and persons from several States, have contacted a number of Senators, and it is felt that a grave injustice will be done to this volunteer program, which embraces 11,000 local councils and 11,000,000 citizen volunteers working through the program.

So, Mr. President, I ask unanimous consent that the Senate reconsider the vote by which the figure \$403,875, which is the committee amendment, was agreed to, on page 9, line 18, of the pending

bill, so that we may have a vote, not a record vote, but a vote, on whether the Senate would like to concur in the House item, which the House said provided the irreducible minimum.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida?

Mr. McKELLAR. Mr. President, I shall not object to the Senator's request to reconsider the vote, but I appeal to the Senate in this matter not to vote these sums back into this appropriation bill.

The House allowed a million dollars, in all, for the Office of Civilian Defense. We all know what that is. There is not one one-thousandth of the danger there was when this organization was started. We have gradually reduced the appropriation from year to year, as the danger has passed. At present we are not doing much more than keeping the skeleton of the organization, and retaining some people in office. The committee thought a reduction from a million dollars to \$750,000 was a very modest cut.

I do not think there was a member of the committee who did not agree respecting the several amendments aggregating \$250,000. I am willing that the Senator from Florida shall have unanimous consent to reconsider the vote by which the committee amendment was adopted, but when a vote is taken on the question I beseech the Senate not to provide for \$250,000 additional to be spent absolutely uselessly. As a matter of fact, I think the amount of \$750,000 provided for the Office of Civilian Defense is too much.

Mr. REED. It is too much; yes.

Mr. McKELLAR. But if there is any evidence that can be brought forth to justify that amount it can be brought to the attention of the conferees.

Mr. REED. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. REED. I join with the Senator from Tennessee in the statement he has just made.

Mr. McKELLAR. I thank the Senator.

Mr. REED. Of course, as a matter of courtesy to the Senator from Florida, if he wants a reconsideration of the vote by which the amendment was agreed to, it should be granted him. There is nothing left of the O. C. D. except a glorified boondoggling proposition. Instead of giving the O. C. D. \$750,000 we ought to cut it down to \$250,000 and tell them to wind up their work quickly. The country is no longer in danger of invasion. We no longer need black-outs. The O. C. D. was overexpanded to begin with, even at a time when there was an element of danger, which has now disappeared. It is now silly to continue these appropriations when there is no need for them. I believe a further cut should be made in the appropriation instead of stopping with the moderate cut which has been made.

Mr. McKELLAR. I agree with the Senator from Kansas thoroughly.

Mr. PEPPER. Mr. President, I ask unanimous consent that the vote by which the committee amendment on page 9, line 18, to strike out "\$538,000"

and to insert "\$403,875" was agreed to, be reconsidered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the vote by which the committee amendment was agreed to is reconsidered.

The question now is on agreeing to the committee amendment.

Mr. PEPPER. Mr. President, I should like to say a word now in opposition to the committee amendment. I wish to thank all Senators, and especially the able Senator from Tennessee, for his courtesy. The able Senator is in error, however, when he says that I am asking that the appropriation be increased by \$250,000. I only wish to restore the House appropriation respecting the Federal-State cooperative program, and not to restore even to the House item that part of the appropriation dealing with the preservation of property. There was a cut of about \$39,000 by the Senate committee respecting the preservation of the Federal property owned by the O. C. D., but we will let that pass. I address myself only to the substitution of the House figure of \$538,500 on page 9, line 18, for the Senate figure of \$403,875.

Mr. McKELLAR. Is that the only item respecting which the Senator asks for a reconsideration of the vote?

Mr. PEPPER. That is all.

Mr. McKELLAR. Exactly the same situation applies to this item that applied to other amendments. The House figure ought not to be allowed. The amount of \$403,875 which the Senate committee allowed is more than sufficient to do the work, and I hope the Senate will vote down the proposed amendment of the Senator from Florida.

Mr. BARKLEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BARKLEY. The vote by which the amendment was agreed to having been reconsidered, the matter is now before the Senate, as I understand, in the form in which it came from the Senate Committee on Appropriations. The committee amendment reduced the appropriation. Therefore the vote is on the committee amendment, and there is no amendment being offered to it, as I understand.

Mr. McKELLAR. Then, if that be the case, I move the adoption, if I may, of the amendment as reported by the Senate committee, of \$403,875. Those who believe the Senate committee was correct in presenting that figure will vote "yea." I hope the majority of the Senate, if not all Members present, will vote "yea."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 9, line 18, to strike out "\$538,500" and insert "\$403,875."

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.



Mr. McCLELLAN. Mr. President, I merely wish to make this statement. The hour is late. A good many Senators have already left the Chamber. I assume we will be unable to obtain a yeand-nay vote on the final passage of the bill.

Mr. President, I favor all the appropriations contained in the bill except the one for the continuation of the F. E. P. C. I cannot vote for the bill with that appropriation in it. I wish the RECORD to show that I still oppose the appropriation for the F. E. P. C., and shall vote accordingly.

Mr. EASTLAND. Mr. President, I want the RECORD to show that I favor all the appropriations contained in the bill except the appropriation for F. E. P. C., and, therefore, because that appropriation is now in the bill, I shall vote against the entire bill.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill (H. R. 4879) was passed.

Mr. McKELLAR. I move that the Senate insist upon its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. McKELLAR, Mr. GLASS, Mr. HAYDEN, Mr. TYDINGS, Mr. RUSSELL, Mr. NYE, Mr. HOLMAN, and Mr. BROOKS conferees on the part of the Senate.

#### EXTENSION OF EMERGENCY PRICE CONTROL AND STABILIZATION ACTS—AUTHORITY TO FILE CONFERENCE REPORT

Mr. WAGNER. Mr. President, the conferees have agreed upon a report to be made as a result of the conference on the bill (S. 1764) to amend the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of October 2, 1942, as amended, and for other purposes. The report probably will not be ready for another hour or two, and I ask unanimous consent that I may file the report during the recess between now and tomorrow.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

[Mr. WAGNER subsequently submitted the conference report on the bill (S. 1764) to amend the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of October 2, 1942, as amended, and for other purposes. For conference report see p. 6420 of the RECORD of the House proceedings.]

#### DEPARTMENT OF AGRICULTURE APPROPRIATIONS—CONFERENCE REPORT

Mr. THOMAS of Oklahoma obtained the floor.

Mr. RUSSELL. Mr. President, if the Senator from Oklahoma does not object I should like to dispose of the conference report on the agricultural appropriation bill. I do not think it will take more than 2 or 3 minutes.

Mr. THOMAS of Oklahoma. I yield for that purpose.

Mr. RUSSELL submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the

amendments of the Senate to the bill (H. R. 4443) "making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1945, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 22, 24, 33, 37, 50, 51, 54, 55, 57, 67, and 69.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 8, 18, 19, 20, 21, 23, 28, 29, 34, 35, 36, 38, 42, 44, 45, 47, 56, 58, 64, and 68, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$2,160,552"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$2,375,236"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by said amendment, insert the following: "Provided, That the cost of erecting any one building, except head houses connecting greenhouses, shall not exceed \$2,500, and the cost of alterations to any one building shall not exceed \$500 or 2 per centum of the cost of the building as certified by the Secretary, whichever is greater, but in no event to exceed \$2,500"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "\$353,639"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "\$25,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "\$951,611"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "\$506,348"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "\$71,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by said amendment, insert the following: "Provided further, That no part of this appropriation shall be used for agricultural wage stabilization with respect to any commodity unless a majority of the producers of

such commodity within the area affected have requested the intervention of the Administrator of the War Food Administration"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "(or in the case of perishable fruits and vegetables if there is danger of deterioration or of accumulation of stocks)"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "\$350,000"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows: "Provided further, That in the State of Missouri where the State has established a central State agency authorized to enter into agreements with the United States or any of its agencies on policies and general programs for the saving of its soil by the extension of Federal aid to any soil conservation district in such State, the agreements made by or on behalf of the United States with any such soil conservation district shall have the prior approval of such central State agency before they shall become effective as to such district"; and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert: "\$25,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 5, 7, 9, 10, 11, 12, 13, 14, 17, 25, 27, 31, 40, 41, 43, 48, 52, 53, 59, 60, 63, 65, 66, and 71.

RICHARD B. RUSSELL,  
CARL HAYDEN,  
M. E. TYDINGS,  
JOHN H. BANKHEAD,  
GERALD P. NYE,  
ARTHUR CAPPER,

Managers on the part of the Senate.

M. C. TARVER,  
CLARENCE CANNON,  
HARRY B. SHEPPARD,  
ELMER H. WENE,  
EVERETT M. DIRKSEN,

Managers on the part of the House.

Mr. RUSSELL. I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 4443, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,  
June 20, 1944.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 5, 7, 9, 10, 11, 12, 13, 14, 17, 25, 31, 41, 43, 48, 52, 59, 66, and 71 to the bill (H. R. 4443) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1945, and for other purposes, and concur therein;

That the House recede from its disagreement to the amendment of the Senate numbered 27 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert "Provided, That the cost of erecting any one building shall not exceed \$7,500, and the cost of alterations to any one building shall not exceed \$500 or 2 percent of the cost of the building as certified by the Secretary, whichever is greater."

That the House recede from its disagreement to the amendment of the Senate numbered 40 to said bill and concur therein with an amendment as follows: In line 4 of the matter inserted by said Senate engrossed amendment after "on" insert "extremely."

That the House recede from its disagreement to the amendment of the Senate numbered 53 to said bill and concur therein with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: "That, excepting the foregoing item of \$12,500,000, no part of said appropriation or any other appropriation in this act shall be used for incentive or production adjustment payments, except for soil-conservation and water-conservation payments and payment of acreage allotment commitments on commodities as defined in the Agricultural Adjustment Act of 1938, as amended, and as enumerated and set forth in the '1944 Agricultural Conservation Program' bulletin, dated February 9, 1944: *Provided further*."

That the House recede from its disagreement to the amendment of the Senate numbered 63 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert:

**"EXPORTATION AND DOMESTIC CONSUMPTION OF AGRICULTURAL COMMODITIES"**

"Not exceeding \$50,000,000 of the funds appropriated by and pursuant to this section may also be used during the fiscal year ending June 30, 1945, to provide food for consumption by children in nonprofit schools of high-school grade or under and for child-care centers through (a) the purchase, processing, and exchange, and the distribution of agricultural commodities and products thereof; or (b) the making of payments to such schools and centers or agencies having control thereof in connection with the purchase and distribution of agricultural commodities in fresh or processed form and, when desirable, for the processing and exchange of such commodities and their products; or (c) by such other means as the Secretary may determine: *Provided*, That funds appropriated for the purposes of this program shall be apportioned for expenditure in the States, Territories, possessions, and the District of Columbia in accordance with school enrollment and need, as determined by the Secretary, except that if program participation in any State does not require all funds so apportioned, the Secretary may reapportion such excess funds to such other States in consideration of need, as he may determine: *Provided further*, That benefits under this section to schools or child-care centers shall in no case exceed the cost of the agricultural commodities or products thereof delivered to the school or child-care center as established by certificates executed by the authorized representative of the sponsoring agency: *Provided further*, That such sponsoring agency shall maintain accounts and records clearly establishing costs of agricultural commodities or products furnished in the program and that such accounts and records shall be available for audit by representatives of the Department of Agriculture: *Provided further*, That these funds may be used for, or to make payments in connection with, the purchase of such agricultural commodities and for exchanging, distributing, disposing, transporting, storing, processing,

inspection, commission, and other incidental costs and expenses without regard to the provisions of section 3709 of the Revised Statutes and without regard to the 25-percent limitation contained in this section: *Provided further*, That not more than 2 percent of the funds made available under this amendment shall be used to provide food for children in child-care centers. The amount of funds used in any State during any fiscal year under this paragraph shall not exceed the total amount otherwise furnished for the same purpose by or on behalf of the State and local school authorities and other sponsoring agencies in such State including the value of donated services and supplies, as certified by the respective schools, care centers, or agencies having control thereof."

That the House recede from its disagreement to the amendment of the Senate No. 65 to said bill and concur therein with amendments as follows: In the first paragraph of the matter inserted by said amendment strike out "\$28,285,000" and insert "\$26,000,000"; and in the third paragraph of the matter inserted by said amendment strike out "\$96,710,000" and insert "\$87,500,000."

That the House insist upon its amendments to Senate amendments Nos. 27, 40, 53, 63, and 65; and insist upon its disagreement to the amendment of the Senate No. 60 to said bill and ask a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. RUSSELL. I move that the Senate concur in the amendments of the House to the amendments of the Senate Nos. 27, 40, 53, 63, and 65.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Georgia.

The motion was agreed to.

Mr. RUSSELL. Now I move that the Senate further insist on its amendment No. 60.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Georgia.

The motion was agreed to.

Mr. RUSSELL. I move that the Senate agree to the conference requested by the House, and that the Chair appoint conferees on the part of the Senate at the further conference.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Georgia.

The motion was agreed to; and the Presiding Officer appointed Mr. RUSSELL, Mr. HAYDEN, Mr. TYDINGS, Mr. BANKHEAD, Mr. SMITH, Mr. NYE, and Mr. CAPPER conferees on the part of the Senate at the further conference.

**APPROPRIATIONS FOR THE MILITARY ESTABLISHMENT**

Mr. THOMAS of Oklahoma. Mr. President, I move that the Senate proceed to the consideration of House bill 4967, the Military Establishment appropriation bill.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 4967) making appropriations for the Military Establishment for the fiscal year ending June 30, 1945, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. THOMAS of Oklahoma. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed

with, that it be read for amendment, and that the committee amendments be first considered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THOMAS of Oklahoma. Mr. President, I should like to make a very brief statement in connection with the pending bill. It is the bill which carries funds to support the Military Establishment for the next fiscal year. The bill contains appropriations of almost \$50,000,000,000. It was passed by the House last Thursday. The Senate committee commenced hearings on Friday, held hearings on Friday and Saturday, reported the bill to the full committee on Monday, and the bill was reported to the Senate on the same day.

There are only about four slight amendments recommended by the Senate committee. One amendment reduces the appropriation in the sum of \$1,217,000. That is caused by striking out of the bill funds for wildcatting for oil in Alaska. The Interior Department bill as passed by the House carried a sum to enable that Department to wildcat for oil in Alaska. The Senate subcommittee, the full committee, and the Senate struck out the item. That action has been approved by the conference committee, and the report has been approved by the House. We expect the conference report to come to the Senate this afternoon or tomorrow. The subcommittee on Interior Department appropriations having stricken the amount for the Interior Department to wildcat for oil in Alaska, the subcommittee on the War Department appropriations likewise refused to approve an appropriation for the War Department to wildcat for oil in Alaska.

Mr. President, I ask permission to have printed in the Record at this point as a part of my remarks a very brief statement explaining somewhat in detail the amount of money carried by the bill.

There being no objection, the statement was ordered to be printed in the Record, as follows:

The amount of money carried in the bill is \$49,107,785,795, or a reduction of \$1,217,000 below the amount approved by the House of Representatives.

The item is made up of two parts. One, an unexpended balance in the sum of \$33,672,971,000 was reappropriated and the sum of \$15,434,814,795 in new money is appropriated in the act and the sum of the carry-over plus the sum of new money makes the total of \$49,107,785,795.

For the fiscal year 1943 the Congress appropriated the sum of \$74,903,515,893 to carry on the many activities of the War Department and the bill covering the fiscal year of 1944 carried the sum of \$74,211,249,961; hence, the bill now pending before the Senate carries a sum of \$25,103,464,166 less than the appropriations for the current fiscal year and the sum of \$25,795,730,088 less than the sum appropriated for the 1943 fiscal year.

Notwithstanding the fact that the Army is now built up to approximately the maximum number, the cost of conducting the war during the 1945 fiscal year should be something like \$25,000,000,000 less than the expenses incurred during either the present fiscal year or the previous fiscal year.

An estimate has been made showing that 97 cents out of every tax dollar goes for war. An examination into expenditures further



shows that we are getting more value for each dollar now than we received right after Pearl Harbor and this is because of the following facts:

First, early in the war the Congress enacted legislation providing for the renegotiation of all war contracts. Information has been made available that by the end of the present fiscal year the Government will have recovered, through renegotiation, a sum of approximately \$3,500,000,000.

Another reason for the reduction in the amount of the pending appropriations is the fact that the economies in Army camps have been such as to reduce the cost of each soldier's upkeep approximately \$36 per man. Most of the savings have resulted from the elimination of waste, from closer buying of equipment, and from redesigning and improving the wearing qualities of uniforms and clothing generally.

It is obvious that in order to train our vast Army that we had to purchase land, construct and equip camps of every kind, and now that the land has been paid for and the camps have been constructed and equipped, additional outlays for such purposes are not necessary.

The lands acquired have been paid for, the buildings erected have been paid for, the equipment in place has been paid for, and the efficiency of the workers in the factories permit of mass production on a more uniform basis so that the supplies needed by the Army are not costing as much as during the first and second years of the war.

At one time during the early planning for the war it was decided to raise and equip an Army of 8,200,000, but later these figures were revised, and the number of 7,700,000 were agreed upon. The reduction of the number in the armed forces amounted to approximately 6 percent, hence the appropriations reflect a reduction of much more than 6 percent.

The military strength of the Army is divided approximately as follows: Officers, 675,000; warrant officers, 30,000; nurses, 40,000; and enlisted men, 6,955,000.

At the present time there is an estimated number of 3,657,000 men outside the United States, and by December 31 of this year it is planned to have 5,000,000 men either on foreign battlefields or on foreign soil ready to take their places on the several fighting fronts.

The following facts are taken from the hearings. It requires some 5 pounds of food per day to serve each of our soldiers abroad; hence, the item of food costs, which includes transportation, is one of the major items of expense.

The bill carries the sum of \$562,000,000 for the purpose of supporting the civilian population of the liberated countries. It is not planned that we shall feed all of the population in the countries which are conquered and to be conquered. However, the plans are made to provide the liberated peoples who are in need of food the sum of 2,000 calories per day. The estimate for our own soldiers is 3,750 calories per day, so that the food to be made available to the needy in the conquered countries is scarcely more than one-half of the rations estimated necessary for the soldiers of our Army.

The bill carries the sum of \$4,300,000,000 for lend-lease to be expended under the jurisdiction of the War Department. This sum of money is to be distributed roughly as follows: 64 percent to Great Britain, 26 percent to the U. S. S. R., 4 percent to China, and 6 percent to all other countries. The total sum reappropriated, together with the new funds, making the total of \$49,107,785,795, is broken down substantially as follows:

Pay and travel.....	\$12,685,000,000
Subsistence.....	2,899,251,000
Clothing and equipage.....	1,721,600,000
General supplies.....	681,000,000
Transportation Corps.....	1,850,000,000
Signal Corps.....	2,540,491,075
Air Forces.....	12,610,200,000
Medical Department.....	492,204,520
Engineer Service.....	2,662,212,500
Ordnance Department.....	8,599,067,600
Chemical Warfare Service.....	670,000,100
Expediting production.....	800,000,100
Special service schools, Department expenses, and miscellaneous.....	896,758,900

The amount recommended for the 1945 fiscal year is some \$243,054,905 below the amount recommended by the Budget.

Mr. THOMAS of Oklahoma. As I have stated, the bill carries appropriations of a little less than \$50,000,000,000. Of that sum, \$15,434,814,795 is new money and \$33,672,971,000 is carry-over. It may be wondered why such a large sum was carried over. That is explained in the hearings and is also explained to some extent in the statement I have submitted. The War Department is now costing less than it formerly cost. When the war started we had to buy land on which to build camps. We had to construct buildings on the land and provide equipment for the buildings. We had to induct a large number of men into the Army. That expense has already been taken care of. The land is paid for, the buildings are constructed, the equipment is in place, and in the main the expenses are taken care of, so from now on the expenses of the War Department will probably grow smaller rather than larger because of the facts which I have just related.

As I have stated, the bill carries an appropriation of approximately \$15,000,000,000 of new money and approximately \$33,000,000,000 of carry-over money, making a total in excess of \$49,000,000,000.

Only four amendments have been reported by the committee. At the present time, if the War Department desires to bring back from abroad some of our servicemen who have become worn out from fighting or flying planes, there is no provision of law which authorizes the Department to bear any of the expense of bringing them back; so the Senate committee recommends an amendment providing that the War Department may use these funds, within its discretion, to bring back from the fighting fronts such soldiers as the Department may think merit being brought back for rehabilitation and rest. That is the first amendment reported by the committee. We shall come to it in a few moments.

In connection with the second amendment reported by the committee, let me say that the House placed a prohibition in the bill denying the War Department the opportunity of continuing the education of medical and dental students. If that provision should remain in the bill, those two classes of students would be denied further assistance. It is the opinion of our committee that the War Department should maintain medical and dental students in the colleges so that when the war is over we shall have at least that additional supply of young doc-

tors and dentists, to take the place of those who have been away, many of whom will be retired from service.

The third amendment reported by the committee has to do with the Alaska oil wildcatting, which I have briefly explained.

The fourth amendment reported by the committee deals with a provision inserted by the House preventing the War Department from leasing or selling any of the land which it now possesses. We think that provision goes entirely too far. We think that the antileasing provision should not be incorporated in the bill. Under the terms of the provision as it came from the House, the War Department could not transfer to the Navy any of the lands which it has. At the present time the War Department desires to transfer, and is actually transferring, land from its domain to the use of the Navy.

Those are the four amendments which the committee recommends. There is one further amendment which may be offered from the floor, which the War Department favors. Some time ago the Congress placed a prohibition in the War Department appropriation bill denying the right of the War Department to employ artists in making pictures of war scenes and things of that character in the war areas. The prohibition is carried in this bill.

The War Department is entirely agreeable to refraining from commissioning any more men and assigning them to the battle areas to paint pictures. The Senate committee is willing to have the restriction apply so far as further commissions are concerned, but the War Department very much desires to permit the personnel in the regular war establishment to continue to make paintings if they so desire. We have the promise of the Secretary of War, in a formal letter which I shall place in the Record, that if this prohibition is removed the Department will not commission any new members from civilian life to engage in this painting work; but the Department would like to have the present personnel of the Army, either enlisted men or officers, enjoy the privilege of painting. I understand that there are a great many very competent painters in the Army. That amendment will probably be offered from the floor. If so, I shall be glad to accept it. Later I shall place in the Record the authority for accepting the amendment, namely, a letter from the Secretary of War.

Those are the amendments which the committee has reported. If there are any questions, I shall be very glad to answer them if I can.

The PRESIDING OFFICER. The clerk will state the first amendment reported by the committee.

The first amendment reported by the Committee on Appropriations was, under the heading "Finance Department; Finance Service, Army" on page 10, line 4, after the word "personnel", to insert "all necessary expenses of travel to enable military personnel stationed abroad

to visit places in the United States, its Territories and possessions, for the purpose of recuperation, rehabilitation, and recovery."

The amendment was agreed to.

The next amendment was, under the heading "Quartermaster Corps—Quartermaster Service, Army", on page 21, line 17, after the numerals, to strike out "Provided, That no appropriation contained in this act shall be available for any expense incident to educating persons in medicine (including veterinary) or dentistry if any expense on account of their education in such subjects was not being defrayed out of appropriations for the Military Establishment for the fiscal year 1944 prior to June 7, 1944."

The amendment was agreed to.

The next amendment was, under the heading "Corps of Engineers—Engineer Service, Army", on page 31, at the beginning of line 3, to strike out "\$1,800,217,000" and insert in lieu thereof "\$1,799,000,000."

Mr. FERGUSON. Mr. President, I realize that the hour is late, but I feel that it is necessary to make a statement in relation to this particular item.

There is included in this item an amount for the Canol project in Canada.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. HATCH. Are we about to consider that question?

Mr. FERGUSON. I understand that this is the amendment in which that item is included.

Mr. THOMAS of Oklahoma. The item to which the Senator refers is on page 31, line 3.

Mr. FERGUSON. As I understand, that is the amendment now under consideration.

The PRESIDING OFFICER. That is true.

Mr. FERGUSON. I am informed by the Chair that that is the amendment which we are now considering. I wish to call attention to some figures included in that item. I think that before we vote on this question we should know at least what is included in the item so far as it relates to the Canol project.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. HATCH. I am looking at the clock. It is now 10 minutes after 7. I do not know just what is included in this amendment. I do not know just what the Senator from Michigan has in mind, but surely at this late hour there is no opportunity to discuss or understand the amendment. Why is it necessary that we work on and on without knowing just what we are doing?

Mr. WHITE. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. WHITE. Of course, I suppose all of us are anxious to get away, because we have been in continuous session for more than 7 hours. But if this bill is to be passed tonight, it must be obvious that there will be no other opportunity for the Senator from Michigan to present his views with respect to the pending amendment.

Mr. McKELLAR. And it is the last amendment, I think.

Mr. BARKLEY. It may be that if the Senator from Michigan can express his views, that will clear up the situation with regard to the item, so that we shall be in a position to vote on it.

Mr. WHITE. Yes. We may be able to dispose of the bill very speedily if the Senator from Michigan has an opportunity to conclude his statement.

Mr. FERGUSON. Mr. President, I shall do my very best to make my statement as brief as possible. Included in the bill is an item which I should like to discuss on the floor of the Senate. It is an item of \$16,439,688 for maintenance and operation of the Canol project. The appropriation includes \$8,066,158 for maintenance of that project, and \$8,373,530 for operation.

Last year the Truman committee made an investigation of this particular project. They found it was costing approximately \$134,000,000, not including many items of Army services in connection with the project, which would run into many additional million dollars. The committee made no particular objections to the part of the project which involved a service line from Skagway into Whitehorse, and then to operate along the air fields; but the committee did make serious objection to the building of the pipe line and to a road from Whitehorse to Norman Wells and to the refinery at Whitehorse. It is in relation to that item that I wish to speak at this time.

We find that in connection with the "refinery, access roads crude line oil field," there is an operation item of \$6,326,540. For the maintenance in that connection the item is \$5,705,920, making a total of \$12,032,460.

The distribution lines and the flight strips are the ones to which the committee made no objection. There is an appropriation of \$2,046,990 for their operation. For maintenance there is an appropriation of \$2,360,233, or a total of \$4,407,223.

We find that the item of \$12,032,460 is made up as follows: For maintenance of production facilities at Norman Wells, \$708,070; for operation, \$2,843,720.

A pipe line was built and at the same time a road was constructed alongside the pipe line, to enable repairs to be made to the pipe line, and so forth. That road is 528 miles long. We find in this requested appropriation an item for repairs to a highway which is to be used only for the purpose of repairing the pipe line which is 597 miles long. The item is \$2,694,010.

We find that for repairs during the coming year to a crude-oil pipe line 597 miles long, from Whitehorse to Norman Wells, there is an item of \$1,334,740. We find that for the operation of that line alone there is an item of \$1,167,540. We find that for repairs or maintenance of the refinery at Whitehorse there is an item of \$969,100. We find that for operation of that refinery there is an item of \$2,315,280. For maintenance, we find a total item of \$5,705,920; and for operation, a total item of \$6,326,540.

From the foregoing it would appear that \$16,439,688 is requested for the

Canol project, of which \$12,032,460 is for operating and production facilities, and \$4,407,228 for distribution facilities. We all wish to know approximately how much oil it is expected will be produced as a result of that expenditure. We learn from the War Department that the figures are merely for expected production. There is no guaranty that such a quantity of oil will ever be obtained.

By the way, up to the present time no 100-octane gasoline has been refined from the oil obtained from this project. Some may say that it is desired to obtain oil for our fleet in the Pacific, and that the fleet may be supplied with oil produced from these wells.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. KILGORE. The Senator will remember that from the analysis of the oil production in that region it appears that absolutely no oil for the fleet is produced. The oil produced is very volatile and is only suitable for gasoline of various qualities. The wells do not produce oil suitable for use by the fleet; is not that correct?

Mr. FERGUSON. Yes. I am glad the Senator from West Virginia has brought out that fact. Not one drop of this oil will be used for the fleet in the Pacific.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. OVERTON. The junior Senator from Missouri [Mr. TRUMAN] is a member of the committee, but he raised no objection to this item. No one before the committee raised any objection to the item, so far as I know.

Mr. BALL. Mr. President—

Mr. KILGORE. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Michigan yield, and if so, to whom?

Mr. FERGUSON. I yield first to the Senator from Minnesota.

Mr. BALL. Mr. President, I was on the subcommittee. The question whether any funds for the Canol project were included came up in the subcommittee. In the subcommittee it was my understanding that there were no funds for the Canol project.

Mr. KILGORE. Mr. President, will the Senator yield to me?

Mr. FERGUSON. I yield.

Mr. KILGORE. Let me say to the Senator from Louisiana, in answer to his statement, that the facts which have just been stated by the Senator from Michigan were not divulged at that time. In the meeting they were withheld from the Senator from Missouri as being secret. As has been stated by the Senator from Minnesota, there was no statement that any money for the Canol project was included in the item. It was only in the last few days that we obtained the information that money for the Canol project was contained in the item. At the time of the committee hearing such information was highly secret.

Mr. McKELLAR. Mr. President, if the Senator will permit me to say a word, let me say that all the information is contained in the House hearings, and the



matter is explained in the House hearings.

Mr. FERGUSON. Mr. President, I wish to call the attention of the Senate to the quantity of oil and gasoline which will be produced from these wells:

One hundred octane gasoline, 112,895 barrels.

Eighty octane motor gasoline, 351,080 barrels.

Diesel oil, 134,000 barrels.

Fuel oil, 93,800 barrels.

The foregoing is an estimate of the amount of oil which might be produced, and which it is expected will be produced. Request is made for an expenditure of more than \$12,000,000 in order to produce it.

If the Government of the United States purchased a similar quantity of oil at Los Angeles, Calif., it would pay for it, at present rate, \$2,568,997. Let us say that at the present time there is a shortage of oil on that west coast. The same amount of oil could be obtained from Aruba and all the freight and all other expenses paid for \$3,267,893. We could purchase the oil in Aruba, and could send it to Alaska—and there is a pipe line from Skagway into these airfields—for approximately one-fifth of what it will cost the United States Government to produce the same amount of oil from the Canol project.

There are some who will say there is a shortage of oil; but when we compare the quantity of oil which will be produced from this field with the quantity of oil produced in the United States we find that it is so small that it cannot be figured. We produce 5,000,000 barrels of oil a day in the United States, and we are talking about the few thousand barrels involved in this project. It is this expenditure which was not explained to the committee that I wish to call to the attention of the Senate. It is the inclusion of this item under the Corps of Engineers that the people of this country ought to know about, and they should also know that we are asked to spend \$12,000,000 in order to produce oil which we could buy and ship to that region at a cost of \$3,000,000.

Mr. President, while realizing the lateness of the hour, I still thought it was my duty to call to the attention of the Senate the inclusion of this item in the lump sum appropriation.

We know what happened when the first appropriation came before us. Instead of calling for \$134,000,000 the Army called for an expenditure of about \$75,000,000. After a thorough investigation the Truman committee has found that there has been spent approximately \$134,000,000 plus millions of dollars wasted in machinery and in equipment in connection with this project. Today we are unable to obtain lumber from our forests because the necessary machinery is not available; and yet along that highway in Canada there are thousands of trucks and machines which could be used in the forests here in the United States.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. CONNALLY. Is it not a fact that the pipe line and refinery are our property? Does the Senator propose that we go away and leave them and not maintain them?

Mr. FERGUSON. I believe that at this time, in view of the figures involved, the property should not be used. It could be used in the case of any emergency.

Mr. CONNALLY. Does the Senator know that we have made an agreement with the Canadian authorities whereby we receive 60,000,000 barrels of oil as may be needed from time to time?

Mr. FERGUSON. Mr. President, if there are 60,000,000 barrels of oil in that field, we have made a new arrangement. After the Truman committee investigated this matter the State Department and the Canadian authorities made a new agreement which is very good, but is not good enough to justify the expense to which we have been put, not only in manpower but in cash and bonds which have been sold here in the United States.

Mr. President, there has not been included in this item the actual cost of the oil.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. McKELLAR. I may say to the Senator that I voted against this item when it first came up. The Senate committee outvoted me, and the Senate outvoted me afterward. The project became the property of the United States and contracts were entered into. Under those circumstances I do not see how we could give it up without suffering a severe loss. I think we should go ahead with it to the extent provided in the pending bill. I do not see how we can abandon it at this late hour. I wish to say to the Senator that I had the same view which he has, and I voted against it in the first instance.

Mr. REED. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. REED. No matter what view is taken, or how we may vote, this is a matter involving not only a great deal of money, but the question of whether we have followed sound business practices in the development of the project.

Suggestions have been made that information has been withheld. The chairman of the committee left town last night. I think the matter should be discussed more fully than is possible this evening, and therefore I call attention to the fact that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. McKELLAR. Mr. President, it is perfectly apparent that no quorum is present, and unless we can pass this bill tonight we shall have to allow it to go over until tomorrow. If Senators feel that it should not be passed tonight, I feel compelled to move a recess until tomorrow.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. WHITE. May it be understood that if we adjourn or recess now the Sen-

ator from Michigan shall have the floor when the Senate reassembles tomorrow?

Mr. McKELLAR. There is no question about that.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. O'MAHONEY. I have listened with a great deal of attention to what the Senator from Michigan has said, and I am aware of the fact that during the past several months there have been many discussions in the Truman committee and elsewhere with respect to this appropriation. What I wish to say, Mr. President, is that I do not know how it is possible to fight a war economically.

I was present in the Appropriations Committee when this project was first undertaken. I know that there were prolonged discussions concerning it. There was a long off-the-record discussion, and in authorizing the expenditure of public funds for the purposes of this project we knew that we were authorizing the production of oil at an extraordinarily high price. The question was not one of whether we should make a good business arrangement for the production of the oil. The question which was presented to us was whether we should obtain a supply of oil at a point where it was needed very gravely. It was said that the whole west coast was in danger of attack from Japanese contingents. We did not know what the next month would bring forth. The Japs had moved into the outlying Aleutian Islands. There was no question that if we were to defend our western coast and carry on the war we must have this project. So the committee and the Congress authorized it.

With respect to the continuance of the project, I understand that the matter was fully discussed in the House committee. The Government of the United States, with the full knowledge of the Congress, and with the full approval of the Joint Chiefs of Staff, approved this project. We have invested in it approximately \$129,000,000. The proposal here is to expend about fifteen and one-half million dollars in order to carry out our obligation to the Government of Canada.

I can see no reason why we should undertake to prevent that operation at this hour of the night.

My feeling is that there is plenty of opportunity for the Truman committee, or the Military Affairs Committee, or the Appropriations Committee, later on to point the finger at any of these operations if there is anything wrongful in them.

Mr. REED. Mr. President, I rise to a point of order.

The PRESIDING OFFICER (Mr. Murock in the chair). The Senator will state it.

Mr. REED. I make the point of order and call attention to the fact that a quorum is not present—

Mr. McKELLAR. I hope the Senator will not do that.

Mr. REED. I do not wish to press the point of order, but it is not debatable. What the Senator from Wyoming is saying will have its proper place tomorrow. It is really debate upon the merits of the

matter. All I am seeking is that we shall have an opportunity to hear a full and complete explanation.

The PRESIDING OFFICER. What is the Senator's point of order?

Mr. REED. I shall withhold it.

Mr. BARKLEY. The Senator is about to make the point of order that a quorum is not present, and if he does that, of course, it automatically will take the Senator from Michigan off the floor and force a recess until tomorrow.

Mr. REED. I am withholding the point, but I do not want to waste time in debate, not even on the part of the distinguished Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Michigan yielded to the Senator from Wyoming.

Mr. O'MAHONEY. If I may conclude my remarks, they were all intended to develop the simple question whether or not we are going to act upon this bill this evening. I believe we should. I believe this question should not be raised here and now. I believe the appropriation bill should be passed.

Mr. REED. If the Senator from Wyoming is going to insist on continuing, I insist upon my point of order that a quorum is not present.

The PRESIDING OFFICER. The Senator from Michigan has the floor.

Mr. REED. I had the floor, was recognized—

The PRESIDING OFFICER. The Senator from Michigan yielded to the Senator from Wyoming.

Mr. BARKLEY. Mr. President, no Senator can intrude on another Senator's time and make a point unless the Senator having the floor yields for that purpose.

The PRESIDING OFFICER. That applies to all Senators in the Senate. The Senator from Michigan has the floor, and he has yielded to the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, my only point is to determine whether or not the Senator from Michigan intends to proceed with this matter. I feel that the best interests of the Government will be served by the passage of the appropriation.

Mr. REED. Mr. President—

The PRESIDING OFFICER. Does the Senator from Michigan yield?

Mr. FERGUSON. I yield to the Senator from Kansas.

Mr. REED. A point of order is always in order. I make a point of order that a quorum is not present.

Mr. BARKLEY. Mr. President, will the Senator from Michigan yield?

Mr. FERGUSON. I yield.

Mr. BARKLEY. I think there will be no difficulty about this situation. I should like to have a few postmasters confirmed.

Mr. HATCH. A parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from Michigan yield for that purpose?

Mr. FERGUSON. I yield.

Mr. HATCH. I merely wish to ask what the parliamentary situation is.

The PRESIDING OFFICER. The Senate is considering the committee amendment on page 31.

Mr. BARKLEY. Mr. President, will the Senator from Michigan yield?

Mr. FERGUSON. I yield to the Senator from Kentucky.

Mr. BARKLEY. I ask unanimous consent that when the Senate resumes its session tomorrow the Senator from Michigan may be entitled to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WAGNER, from the Committee on Banking and Currency:

Ivy W. Duggan, of Mississippi, to be Governor of the Farm Credit Administration for the unexpired term of 6 years from June 15, 1940, vice Albert G. Black.

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

Ralph A. Bard, of Illinois, to be Under Secretary of the Navy.

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

Sundry officers for promotion in the Regular Army; and

Sundry officers for temporary appointment and/or promotion in the Army of the United States, under the provisions of law.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters; and  
Raymond E. McCanse to be postmaster at Mount Vernon, Mo., in place of Robert Stemmons, resigned (reported adversely).

The PRESIDING OFFICER (Mr. MURDOCK in the chair). If there be no further reports of committees, the clerk will state the nominations on the calendar.

#### DEPARTMENT OF AGRICULTURE

The legislative clerk read the nomination of Charles Franklin Brannan to be Assistant Secretary of Agriculture.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

#### POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the postmaster nominations are confirmed en bloc.

Mr. McKELLAR. I ask unanimous consent that the President be notified immediately of all confirmations of today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

#### RECESS

Mr. McKELLAR. As in legislative session, I move that the Senate take a recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 7 o'clock and 33 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, June 21, 1944, at 12 o'clock meridian.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate June 20 (legislative day of May 9), 1944:

#### DEPARTMENT OF AGRICULTURE

Charles Franklin Brannan to be Assistant Secretary of Agriculture.

#### POSTMASTERS

##### CONNECTICUT

Frank B. Leslie, New Canaan.

##### HAWAII

Charlotte M. Keala, Kamuela.

Jacinth T. Correa, Wailuku.

##### IOWA

Evelyn L. Earing, Lonerock.

##### MASSACHUSETTS

Irene S. Leary, East Pepperell.

##### NEW HAMPSHIRE

Helen M. Lowell, East Rochester.

##### NEW YORK

Frederick A. Glynn, Craryville.

Clifford Veeder, Marilla.

Thomas F. Gray, Niagara Falls.

Richard S. Allen, Round Lake.

Helen J. Dygert, Russell.

Walter I. Nash, Sandlake.

Floyd D. Doolittle, Sidney.

##### RHODE ISLAND

Ralph Scotland, Jr., Oakland.

##### SOUTH DAKOTA

Jane Dunn, Elkton.

Marie E. Hoven, Fort Pierre.

##### TENNESSEE

Edith Caldwell, Lupton City.

Amy E. Davis, Oakdale.

## HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 20, 1944

The House met at 10 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou ever-blessed Master, as we face the stern realities of these days, we pray that we may not be forced by the motive of duty alone, but by the urgency of love to God and man. Thou who art our sovereign friend, from whom earth's greatest souls have borrowed their finest gifts, bless us with the spirit of brotherhood without discord and with an understanding which brings wise decisions. O put purpose and resolution into all our lives that will help us to a well-ordered ministry of our responsibilities, despising injustice, smiting falsehood, and consumed with a passion to destroy prejudice and enhance personal worth.

Most gracious Lord, correct any false estimates of life and infuse Thy Biblical truth into all minds: "Heaven and earth shall pass away, but my word shall not pass away." Pity any whose hearts may have grown bitter and whose souls are closed to the great, wide needs of the world. Grant that our devotion to our